

**SIDE LETTER OF AGREEMENT
BETWEEN
ORANGE COUNTY FIRE AUTHORITY
AND
ORANGE COUNTY PROFESSIONAL FIREFIGHTERS ASSOCIATION
IAFF-LOCAL 3631
FOR THE FIREFIGHTER UNIT**

This Side Letter of Agreement (“Agreement”) between the Orange County Fire Authority (“Authority”) and the Orange County Professional Firefighters Association, IAFF – Local 3631 (“Association”), (collectively, “Parties”) is entered into with respect to the following:

WHEREAS, on August 27, 2018, the Parties met to discuss several issues, two of which were the composition of interview panels for Firefighter Trainees and the use of Limited Term Employees; and

WHEREAS, as a result of the Parties’ meeting, they reached a few agreements which they wish to memorialize; and

WHEREAS, the following sets forth the Parties’ Agreement:

1. Interview Panels:

- a. For Firefighter Trainee recruitments which will occur following the last date of execution of this Agreement, the Authority will use three employees per panel at the ranks of Fire Apparatus Engineer and Fire Captain as raters on the panel interviews.
- b. If, in setting up the panel interviews, the Authority is having any issues with adequately staffing the panels with current employees at the ranks of Fire Apparatus Engineer and Fire Captain, the Authority will notify the Association approximately forty-five (45) days before the interview panels are scheduled to convene. The purpose will be to discuss the issues (e.g., the need to force employees to staff the panel or backfill a shift of an employee who will be on the panel or to use retired employees on the panels) so that the issues can hopefully be resolved by mutual agreement in advance of the interviews. The goal will be that approximately thirty (30) days before the panel interviews convene, the Parties will evaluate the progress of resolving the issues so that by the time the panels convene, they will run smoothly.
- c. If mutual agreement is not achieved through discussions per Section 1.b., then the Authority will proceed with the panel composition identified in Section 1.a.

2. Use of Limited Term Employees:

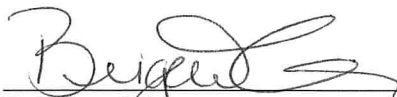
During their meeting on August 27, the Parties discussed an issue regarding the use of Limited Term employees as provided for in their current Memorandum of Understanding (MOU) which has a term of September 1, 2016 through August 31, 2020. The Authority had hired a Limited Term Employee due to a Hand Crew Firefighter being on a long-term workers' compensation leave. The Association took the position that the Authority was not permitted to hire a Limited Term Employee in that situation, but rather, is only permitted to hire Limited Term Employees if a member of the bargaining unit is on an "Official Leave" as defined in the MOU. The Parties disagree on their respective interpretations of the MOU on this issue.

However, to avoid a grievance or other challenge regarding the Authority's use of Limited Term Employees during the remainder of the term of the Parties' current MOU (the Parties can, if they desire to do so, modify their MOU on this issue during upcoming negotiations for a successor MOU) the Parties agree to the following:

For the remainder of the term of the Parties' current MOU – through at least August 31, 2020, unless otherwise agreed to by the Parties, Hand Crew Firefighter is the only rank (represented by the Association) for whom the Authority may hire Limited Term Employees.

The Parties agree that the intent is to utilize limited term employment status temporarily only to fill behind a long term leave of a permanent Hand Crew Firefighter. The Parties also agree that the intent is to maintain a permanent crew of regular status Hand Crew Firefighters. If there is a dramatic decrease in the number of permanent Hand Crew Firefighters caused by leaves of absence which impacts the crew's ability to operate, the parties will meet to discuss options.

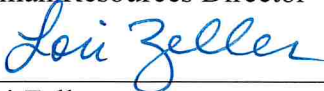
FOR THE ORANGE COUNTY FIRE AUTHORITY



Brigette Gibb
Human Resources Director

9/28/18

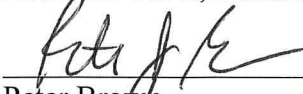
Date



Lori Zeller
Assistant Chief, Business Services

9/28/18

Date



Peter Brown
Labor Negotiator

9/28/18

Date

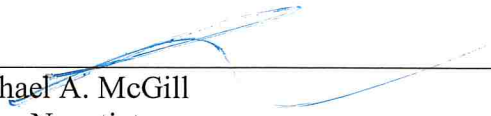
FOR THE ORANGE COUNTY PROFESSIONAL FIREFIGHTERS ASSOCIATION



Tim Steging
Vice President

9/28/18

Date



Michael A. McGill
Labor Negotiator

9/20/18

Date