August 1, 2014

The Honorable Mark Leno
Chair, Joint Legislative Budget Committee
Legislative Office Building
1020 N Street, Room 553
Sacramento, CA 95818

Re: Temporary Addendum to Bargaining Unit 8, CDF Firefighters, Memorandum of Understanding (MOU) – The California Department of Forestry and Fire Protection (CAL FIRE) - Seasonal Employees Pilot Project

This is to inform you of an agreement to launch a temporary pilot project between the state and CDF Firefighters. This pilot project will change the way seasonal firefighter employees are separated at the end of the fire season. This agreement will allow seasonal firefighter employees to return to active status more quickly and efficiently.

No later than July 1, 2015, the parties have agreed to meet and discuss the viability of continuing the program. The pilot will expire October 1, 2015, or with the current MOU, July 1, 2017, depending on the viability of the program.

If you have any questions or concerns please contact Jodi LeFebre, Legislative Coordinator at (916) 327-2348.

Sincerely,

[Signature]
Richard Gillihan, Acting Director
California Department of Human Resources

Attachment

cc: Members, Joint Legislative Budget Committee

   Peggy Collins, Principal Consultant
   Joint Legislative Budget Committee
Camille Wagner, Chief Deputy Legislative Affairs Secretary
Office of Governor Edmund G. Brown Jr.

Mac Taylor, Legislative Analyst
Office of the Legislative Analyst

Nancy Farias, Deputy Secretary for Legislation
Government Operations Agency

ecc:

Marianne O'Malley, Director Gen. Government
Office of the Legislative Analyst

Nick Schroeder, Fiscal and Policy Analyst
Office of the Legislative Analyst

Erika Li, Asst. Program Budget Manager
Department of Finance

Craig Cornett, Chief Fiscal Policy Advisor
Office of the Pro Tem

Charles Wright, Chief Consultant
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Chris Woods, Budget Director
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Greg Campbell, Chief of Staff
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Senate PE&R Committee

Karon Green, Chief Consultant
Assembly PER&SS Committee

Gary Link, Consultant
Senate Republican Caucus

Terry Mast, Consultant
Assembly Republican Caucus

Pam Manwiller, Acting Chief Deputy Director
CalHR

Alene Shimazu, Chief
Financial Management, CalHR
AGREEMENT

Between the State of California, Department of Human Resources (CalHR),
Department of Forestry and Fire Protection (CAL FIRE), and the CAL FIRE
Local 2881 (Union) regarding CAL FIRE seasonal employees.

The parties have arrived at the following agreement as a full disposition of this matter:

When it is determined that there is a lack of work, CAL FIRE will:

a. Determine the last day of physical work and obtain equipment, tools, identification cards,
personal protective equipment, etc.

b. Convert the timebase for Firefighter Is from full-time to intermittent. The employee will
be identified as off pay/off work status.

c. Pay the employee in a lump sum payment (code 9v) for accumulated leave credits (i.e.,
vacation, annual leave, holidays, etc.) that would normally be “cashed out” upon permanent
separation.

d. Employees' State service credit, benefits and eligibility for pay differentials will be
temporarily suspended during the off pay/off work status under the same applicable
Government Codes, laws and rules as other off pay/off work status.

e. Employees will be eligible to enroll in the COBRA in order to maintain their health, dental
and vision benefits. Upon their return to full-time status, their benefits will resume.

f. CAL FIRE will not contest applications for unemployment benefits for Firefighter Is who
are laid off or hours of work reduced consistent with this agreement.

g. Upon determination of the availability of work, employees whose timebase has been
changed to intermittent will be contacted to return to active full-time work status based upon
the current standards and conditions for re-hire. Upon the employee's return to active, full-
time work status, the employee's State service credit, benefits and eligibility for pay
differentials will be determined concurrent with the date of their return to “active” full-time
work status.

h. Upon determination of the availability of seasonal work and if the employee does not
return to work as requested and consistent with the current standards and conditions for re-
hire, the employee will be deemed to have voluntarily resigned after three requests to work
and three waivers by the employee.

i. CAL FIRE will have the authority to order firefighters back to work during the time period
of intermittent timebase for limited duties that must be addressed within a specific limited
duration timeframe.

j. During the period of intermittent timebase, if an employee is called back to work for any
reason, the employee shall be placed on paid status.
p. Nothing in this agreement is intended to change how (the duties and assignments) and when (general time periods and start/stop cycles) seasonal employees will be used by CAL FIRE.

k. During intermittent status, the employee is still considered a Bargaining Unit 6 employee and is represented by CAL FIRE Local 2881.

l. This agreement is applicable as of January 2014.

m. This agreement is not intended to modify the current Memorandum of Understanding (MOU) between the parties. This is a pilot program and expires October 1, 2015.

n. No later than July 1, 2015, the parties agree to meet to discuss any unexpected impact that was not already discussed, and determine the viability of continuing this pilot program.

o. If the parties do not avail themselves of this reopener, then this pilot program will continue and will expire concurrent with the current MOU, July 1, 2017.

STATE OF CALIFORNIA

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