

SIDE LETTER AGREEMENT
Between
EAST CONTRA COSTA FIRE PROTECTION DISTRICT
And
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1230

**RE: INCORPORATION OF SWORN PEACE OFFICERS INTO THE FIRE
PREVENTION BUREAU**

March 8, 2021

Representatives for the East Contra Costa Fire Protection District (“District”) and representatives for IAFF Local 1230 (“Local 1230”) (collectively, “the Parties”) have met and conferred in good faith and have agreed to the following:

WHEREAS, the East Contra Costa Fire Protection District Board of Directors adopted Board Resolution 2021-10, authorizing the incorporation of sworn peace officers in the Fire Prevention Bureau;

WHEREAS, conferring peace officer status upon the District’s Fire Prevention employees who have completed state-required training and certifications will allow them to carry firearms in the execution of their duties, arrest or detain suspects for violating fire safety laws, and better serve the residents of East Contra Costa County during the course of fire investigations;

WHEREAS, conferring peace officer status upon Fire Prevention Bureau employees would make them eligible for rights and protections under the Public Safety Officers Procedural Bill of Rights Act (POBR), in addition to the rights and protections afforded to employees under the Firefighters Procedural Bill of Rights Act (FBOR); and

WHEREAS, the District must amend the Minimum Qualifications for the Deputy Fire Marshal and Fire Inspectors in the Fire Prevention Bureau to require new and existing Prevention employees desiring to obtain peace officer status to submit to a Peace Officer Psychological Evaluation (POPE) to ensure that a candidate is free from any emotional or mental condition that might adversely affect the exercise of their powers as a peace officer, consistent with Peace Officer Standards and Training (POST) certification requirements.

The Parties hereby agree to the following:

1. The District shall amend the Minimum Qualifications (MQs) in the job description for the Deputy Fire Marshal and add an addendum to the job description for Fire Inspectors in the Fire Prevention Bureau to require that candidates and employees be required to submit to a Peace Officer Psychological Evaluation (POPE), meet the minimum standards required under Gov’t Code § 1031, and fulfill all Penal Code § 832(b) training requirements if they desire to obtain peace officer status.

2. The Parties agree that eligible employees in the Fire Prevention Bureau who obtain peace officer status by meeting the minimum standards required by Cal. Gov't Code § 1031 shall be afforded the rights and protections of the Public Safety Officers Procedural Bill of Rights Act, Cal. Gov't Code §§ 3300-3312, in addition to their rights and protections under the Firefighters Procedural Bill of Rights Act, Cal. Gov't Code §§ 3250-3262. The provisions set forth in POBR and FBOR work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in the Memorandum of Understanding (MOU) between the Union and the District. Wherever employee provisions in POBR/FBOR differ from the terms expressed in the MOU between the Union and the District, employees should refer to the specific terms of the MOU, which will control.

3. All costs to train and equip peace officers will be borne by the District. This includes weapons qualification training, skills training, and advanced officer training for eligible employees. Required training for peace officer certification will be performed during regular business hours, for which employees will be paid straight time. Once sworn, peace officers will be on-call for ten (10) days each month. Peace officers will be eligible for differential pay of five percent (5%) for the days that they are scheduled to be on-call.

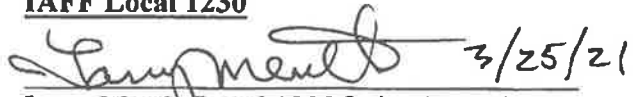
4. The Parties further agree that this Side Letter Agreement will expire upon ratification of a new MOU between the District and Local 1230, which is expected to become effective on or around July 1, 2023.

This side letter agreement is entered into by Local 1230 and the District on **March** __, 2021, and is executed on behalf of the parties by the following signatories:


East Contra Costa Fire Protection District

IAFF Local 1230


 Jerri Kay Phillips, District Negotiator
DocuSigned by:

 3/25/21
 Larry Mentel, Local 1230 Labor Negotiator
DocuSigned by:


 Brian Helmick, Fire Chief
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 Vincent Wells, Local 1230 President
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Date: 4/14/2021

Date: 4/14/2021