

# SIDE LETTER OF AGREEMENT

BETWEEN

CITY OF NEWPORT BEACH

AND

THE NEWPORT BEACH FIREFIGHTERS ASSOCIATION

This Side Letter of Agreement (“Agreement”) between the City of Newport Beach (“City”) and the Newport Beach Firefighters Association (“Association”) (collectively “Parties”) is entered into with respect to the following:

**WHEREAS**, the parties recently negotiated a successor Memorandum of Understanding (“MOU”) with a term of January 1, 2019 – December 31, 2021; and

**WHEREAS**, the parties wish to modify their MOU as it relates to the subject of compensation for Firefighter/Paramedics by modifying the pay from an assignment pay to a rank for employees hired as Firefighter/Paramedics after January 1, 2016; and

**WHEREAS**, the effective date of the changes below is the first day of the pay period following City Council approval of this Agreement; and

**WHEREAS**, the following sets forth the parties’ agreement:

1. Section 2, subsection B, of the parties’ MOU is modified as can be seen by the track changes below:

## SECTION 2 – COMPENSATION

### B. Salary Differential

1. The adjustments to salary and total compensation described in this Section shall maintain the salary differentials between the classification of Firefighter (benchmark classification) and the other classifications represented by NBFA, as set forth below, so there is an appropriate internal relationship among the primary classifications represented by NBFA. Subject to the foregoing, the salaries specified below or total compensation, as appropriate, shall be subject to the following minimum salary differentials between classifications:

<u>Firefighter Series</u>	<u>Percent of Firefighter Top Step</u>
Firefighter	N/A
Fire Engineer	112.50%

<i>Firefighter Paramedic hired on or after 1/1/16</i>	117.25%
<i>Firefighter Paramedic hired prior to 1/1/16</i>	122.25%
Line Captain	132.00%

Staff Captains shall receive an additional 7.5% of base pay over Line Captains. Assignment as a Staff Captain is for a maximum for two years unless extended by the Fire Chief.

2. Section 2, subsection I, of the parties' MOU is modified as can be seen by the track changes below:

**SECTION 2 – COMPENSATION**

I. Temporary Upgrading of Employees

1. Move up Assignment

A move up assignment shall be defined as the temporary assignment of an employee to work in a job classification which is higher than his or her current classification. A move up employee shall meet the minimum requirements for the position to which they are moved up to. Such employees shall be deemed "Acting Appointments" after their 6th consecutive shift.

If the employee is moved-up for five (5) hours or more, the move-up compensation (for time actually working in the moved up assignment) shall be computed as follows:

Firefighter to Engineer	Regular rate +5%
Firefighter (hired prior to January 1, 2016) to Paramedic	Regular rate+22.25%
<i>Firefighter (hired on or after January 1, 2016) to Firefighter Paramedic</i>	<i>Regular rate + 17.25%</i>
Firefighter to Captain	Regular rate +5%
Engineer (hired prior to January 1, 2016) to Paramedic	Regular rate +9.75%
Engineer to Captain	Regular rate +5%
Paramedic to Captain	Regular rate +5%
Captain to Battalion Chief	Regular rate +5%

If an employee is moved up and is using leave, the leave time shall be paid at the employee's regular rate of pay in the rank from which he/she was moved up. Time accumulated working in a move up position shall not be applied towards the probationary period or count as "time in rank" for the purpose of seniority.

The following positions shall be considered for move-up assignments:

Fire Battalion Chief  
Fire Captain  
Fire Paramedic  
Fire Engineer

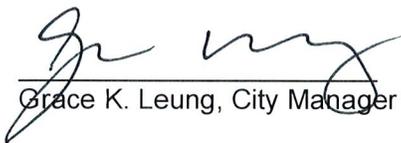
Assignments to a move up position shall be made at the sole discretion of the Fire Chief and are limited to a maximum time period of 360 days.

The parties agree that to the extent permitted by law, pay for move up assignments is special compensation and shall be reported to CalPERS as such pursuant to Title 2 CCR, Section 571(a)(3) but not for new members as defined by the Public Employees' Pension Reform Act of 2013.

3. The parties agree that all references in their MOU to the term "Fire Paramedic" are changed to "Firefighter Paramedic".
4. The parties agree that the salary schedule to their MOU in Exhibits A1, A2 and A3 will be updated to include the salary range for Firefighter Paramedic 17.25%.
5. The job description for Firefighter Paramedic as modified is attached to this Agreement as Attachment A.

Executed this 25 day of JUNE, 2019.

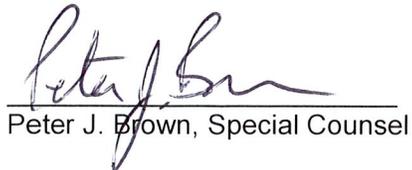
CITY OF NEWPORT BEACH:

  
Grace K. Leung, City Manager

NEWPORT BEACH  
FIREFIGHTERS ASSOCIATION:

  
Bobby Salerno, NBFA President

APPROVED AS TO FORM:

  
Peter J. Brown, Special Counsel

ATTEST:

  
Leilani Brown, City Clerk



## Attachment A - Job Description

### CITY OF NEWPORT BEACH

#### FIREFIGHTER PARAMEDIC

**DEFINITION:** To provide basic and advanced emergency medical care to victims of sudden onset injury or illness, working independently or as a team with other fire department personnel. The Firefighter/Paramedic also conducts assigned fire prevention inspections, performs maintenance activities, interacts with the public and government officials, and participates in training activities; may also perform the duties and responsibilities of Firefighter when not operating as a Paramedic.

**DISTINGUISHING CHARACTERISTICS:** This is a mid-level position in the fire suppression classification series of Firefighter, Fire Engineer, Firefighter/Paramedic and Fire Captain, and may provide functional and technical direction to Firefighters. Employees at this level possess general knowledge of City policies and procedures, as well as a thorough knowledge of basic and advanced life support, fire suppression techniques, fire prevention codes and their application, and public service principles and practices.

**SUPERVISION RECEIVED AND EXERCISED:** This position reports to an assigned Fire Captain. Medical compliance is provided by the EMS Division Chief.

**EXAMPLES OF ESSENTIAL DUTIES:** The following essential functions are typical for this classification. Incumbents may not perform all of the listed functions and/or may be required to perform additional or different functions from those below, to address business needs and changing business practices:

- Respond to emergency medical incidents to provide and direct the prehospital basic and advanced life support treatment and transportation in compliance with clinical standards;
- Respond to emergency incidents and function as part of a team in the suppression of fires or other emergency situations, includes operating in and exposure to hazardous conditions and environments;
- Document and complete all reports such as, prehospital care reports, incident reports, drug logs, training, and continuing education records;
- Perform annual fire prevention inspections on assigned occupancies and follow through until all violations have been abated;
- Drive and operate fire apparatus and other automotive equipment, when required;
- Assume primary responsibility for the proper servicing and maintenance of assigned apparatus, equipment, and medical supplies;

- Participate in continuing training and instruction to include fire suppression, emergency medicine, fire prevention, hazardous materials, disaster response, technical rescue, occupational safety practices, customer service and other pertinent subjects; and
- Perform other duties as assigned.

**QUALIFICATIONS:** *To perform this job successfully, an individual must be able to perform each essential function. The requirements listed below are representative of the knowledge, skill, and/or ability required.*

**Knowledge of:**

Basic and advanced emergency medical care practices;

Safe emergency vehicle driving and operating practices;

City geography and traffic circulation;

County of Orange and State of California laws, ordinances, treatment guidelines, policies and procedures relating to prehospital care and transportation of the sick and injured;

Command and control principles and practices relating to medical incident management;

Operating principles and practices of fire apparatus and equipment;

Basic firefighting principles and practices;

Incident Command System position descriptions;

Hazardous Materials Fire Responder techniques;

Personal safety, wellness and fitness techniques;

Fire and Building Code and Local ordinances;

Newport Beach Fire Department Standard Operating Procedures, Department Manuals, and Administrative Guidelines; and

Principles and practices of public education and customer relations.

**Ability to:**

Apply technical knowledge in a critical, time-sensitive manner and make appropriate decisions regarding medical treatment and transportation;

Safely drive and operate fire apparatus and equipment under adverse traffic and weather conditions;

Operate highly sensitive and technical medical equipment;

Maintain paramedic licensure and continuing education in compliance with State and local regulations;

Perform physically demanding work for potentially extended periods of time under difficult, dangerous and stressful situations;

Learn to effectively enforce a variety of life safety and fire prevention codes;

Manage multiple tasks and assignments at the same time;

Meet the Newport Beach Fire Department medical and fitness standards;

Represent the Newport Beach Fire Department and the City of Newport Beach in a courteous, professional manner so as to not discredit or bring disrepute to the Department or City;

Maintain confidentiality of medical and other privileged information;

Communicate clearly and concisely, both orally and in writing;

Regularly and predictably attend work;

Follow directions from a supervisor;

Understand and follow posted work rules and procedures;

Accept constructive criticism; and

Establish and maintain cooperative working relationships with those contacted in the course of work.

This position may be required to work overtime hours as needed.

**PHYSICAL REQUIREMENTS AND ENVIRONMENTAL WORKING CONDITIONS:**

Work is performed indoors and outdoors in a variety of locations to include on-site work at calls and incidents, in a City vehicle and in the Fire Stations. When working outdoors, may be exposed to the elements; may work under cold damp or hot dry conditions; crouch, sit, stand, walk, bend, reach, twist, grasp, drag, lift, and carry items weighing 45 pounds or more; climb ladders and stairs; pull and use fire hoses; work at heights greater than 10 feet; may be exposed to dust, chemicals, solvents, grease/oil, fumes, electrical and mechanical hazards, vehicular traffic, biological hazards, vibration, and noise; meet the physical requirements of the class and have mobility, vision including the ability to distinguish colors including red, green and yellow, speaking, hearing, sense of smell, dexterity, and use of both hands and legs appropriate to the duties to be performed. May administer first aid and in an emergency, push, pull, drag, and move individuals and/or others weighing 150 pounds or more. Must be able to fight fires wearing protective gear and self-contained breathing apparatus. May be exposed to blood or other bodily fluids or communicable diseases.

**EXPERIENCE & EDUCATION AND LICENSE/CERTIFICATE:** A combination of experience and education that would likely provide the required knowledge and abilities may be qualifying. A typical way to obtain the knowledge and abilities would be:

**Experience:** Minimum eighteen (18) years of age.

**Education:** High School graduation or GED equivalency.

**License/Certificate:**

Certification by the California State Board of Fire Services as a Certified Firefighter I or successful completion of a California State Board of Fire Services Firefighter I approved basic fire training curriculum, consisting of 240 hours of instruction in basic firefighting.

Current EMT-P certification per California Administrative Code; Possession of accreditation from the Orange County Emergency Medical Services (OCEMS) to practice as a Paramedic.

Due to the performance of some field duties which require the operation of a personal or City vehicle, a valid and appropriate California driver's license and an acceptable driving record are required. Ability to obtain a California firefighter restrictive driver's license.

Current American Heart Association Certification in Cardiopulmonary Resuscitation.

Ability to successfully complete the Newport Beach Fire Department Basic Pump Operator/Driver Certification program within six months of completion of the initial probationary period.

**Disaster Service Worker:** In accordance with Government Code Section 3100, City of Newport Beach Employees, in the event of a disaster, are considered disaster service workers and may be asked to respond accordingly.

Bargaining Group – NBFA  
FLSA: Non-Exempt

Revised July 1, 2002  
Revised June 2, 2008  
Revised October 26, 2010  
Revised January 10, 2011  
Revised January 11, 2013  
Revised September 20, 2018  
Revised June 12, 2019

## Exhibit A.1

NEWPORT BEACH FIREFIGHTERS ASSOCIATION  
MOU TERM: JANUARY 1, 2019 – DECEMBER 31, 2021

### Salary Schedule for Represented Sworn and Non-Sworn Positions

Revised: June 22, 2019

REPRESENTED POSITION	HOURLY RATE <sup>1</sup>		MONTHLY SALARY <sup>2</sup>	
	Min	Max	Min	Max
Fire Captain 112 Hours	\$30.40	\$42.78	\$7,377	\$10,382
Fire Captain 80 Hours <sup>3</sup>	\$42.56	\$59.89	\$7,378	\$10,382
Fire Captain+ 7.5% Assignment	\$45.76	\$64.38	\$7,931	\$11,160
Fire Engineer 112 Hours	\$25.90	\$36.44	\$6,285	\$8,842
Fire Engineer 80 Hours <sup>3</sup>	\$36.26	\$51.01	\$6,285	\$8,842
Fire Facilities Coordinator	\$30.20	\$42.51	\$5,234	\$7,368
Firefighter 112 Hours	\$21.95	\$32.42	\$5,326	\$7,868
Firefighter 80 Hours	\$30.73	\$45.40	\$5,326	\$7,869
<i>Firefighter Paramedic_17.25_112</i>	<i>\$27.02</i>	<i>\$38.02</i>	<i>\$6,557</i>	<i>\$9,226</i>
<i>Firefighter Paramedic_17.25_80</i>	<i>\$37.83</i>	<i>\$53.23</i>	<i>\$6,557</i>	<i>\$9,227</i>
Firefighter Paramedic_22.25_112	\$28.22	\$39.70	\$6,848	\$9,634
Firefighter Paramedic_22.25_80	\$39.51	\$55.58	\$6,848	\$9,634
Life Safety Specialist I	\$34.54	\$48.60	\$5,987	\$8,425
Life Safety Specialist II	\$38.01	\$53.49	\$6,588	\$9,272
Life Safety Specialist III	\$41.79	\$58.81	\$7,244	\$10,194

<sup>1</sup> Hourly pay rates are rounded to the nearest hundredth.

<sup>2</sup> Monthly pay rates are rounded to the nearest whole dollar.

\*Pay rates may vary slightly due to rounding.

<sup>3</sup> Temporary staff/administrative assignments.

## Exhibit A.2

NEWPORT BEACH FIREFIGHTERS ASSOCIATION  
MOU TERM: JANUARY 1, 2019 – DECEMBER 31, 2021

### Salary Schedule for Represented Sworn and Non-Sworn Positions

Revised: December 21, 2019, 2.0% Cost-of-Living Adjustment

REPRESENTED POSITION	HOURLY RATE <sup>1</sup>		MONTHLY SALARY <sup>2</sup>	
	Min	Max	Min	Max
Fire Captain 112 Hours	\$31.01	\$43.64	\$7,525	\$10,589
Fire Captain 80 Hours <sup>3</sup>	\$43.42	\$61.09	\$7,525	\$10,589
Fire Captain+ 7.5% Assignment	\$46.67	\$65.67	\$8,090	\$11,383
Fire Engineer 112 Hours	\$26.42	\$37.17	\$6,411	\$9,019
Fire Engineer 80 Hours <sup>3</sup>	\$36.98	\$52.03	\$6,411	\$9,019
Fire Facilities Coordinator	\$30.80	\$43.36	\$5,339	\$7,516
Firefighter 112 Hours	\$22.39	\$33.07	\$5,433	\$8,026
Firefighter 80 Hours	\$31.34	\$46.30	\$5,433	\$8,026
<i>Firefighter Paramedic_17.25_112</i>	<i>\$27.56</i>	<i>\$38.78</i>	<i>\$6,688</i>	<i>\$9,411</i>
<i>Firefighter Paramedic_17.25_80</i>	<i>\$38.59</i>	<i>\$54.30</i>	<i>\$6,689</i>	<i>\$9,412</i>
Firefighter Paramedic_22.25_112	\$28.78	\$40.50	\$6,985	\$9,827
Firefighter Paramedic_22.25_80	\$40.30	\$56.69	\$6,985	\$9,827
Life Safety Specialist I	\$35.23	\$49.58	\$6,107	\$8,593
Life Safety Specialist II	\$38.77	\$54.56	\$6,720	\$9,457
Life Safety Specialist III	\$42.63	\$59.99	\$7,389	\$10,398

<sup>1</sup> Hourly pay rates are rounded to the nearest hundredth.

<sup>2</sup> Monthly pay rates are rounded to the nearest whole dollar.

\*Pay rates may vary slightly due to rounding.

<sup>3</sup> Temporary staff/administrative assignments.

### **Exhibit A.3**

NEWPORT BEACH FIREFIGHTERS ASSOCIATION  
MOU TERM: JANUARY 1, 2019 – DECEMBER 31, 2021

Salary Schedule for Represented Sworn and Non-Sworn Positions

Revised: December 19, 2020, 2.0% Cost-of-Living Adjustment

REPRESENTED POSITION	HOURLY RATE <sup>1</sup>		MONTHLY SALARY <sup>2</sup>	
	Min	Max	Min	Max
Fire Captain 112 Hours	\$31.63	\$44.51	\$7,675	\$10,801
Fire Captain 80 Hours <sup>3</sup>	\$44.28	\$62.31	\$7,676	\$10,801
Fire Captain+ 7.5% Assignment	\$47.61	\$66.99	\$8,252	\$11,611
Fire Engineer 112 Hours	\$26.95	\$37.91	\$6,539	\$9,200
Fire Engineer 80 Hours <sup>3</sup>	\$37.72	\$53.07	\$6,539	\$9,200
Fire Facilities Coordinator	\$31.42	\$44.23	\$5,445	\$7,666
Firefighter 112 Hours	\$22.83	\$33.73	\$5,541	\$8,186
Firefighter 80 Hours	\$31.97	\$47.23	\$5,542	\$8,187
<i>Firefighter Paramedic_17.25_112</i>	\$28.11	\$39.56	\$6,822	\$9,599
<i>Firefighter Paramedic_17.25_80</i>	\$39.36	\$55.38	\$6,822	\$9,600
Firefighter Paramedic_22.25_112	\$29.36	\$41.30	\$7,124	\$10,023
Firefighter Paramedic_22.25_80	\$41.10	\$57.83	\$7,124	\$10,023
Life Safety Specialist I	\$35.93	\$50.57	\$6,229	\$8,765
Life Safety Specialist II	\$39.54	\$55.65	\$6,854	\$9,646
Life Safety Specialist III	\$43.48	\$61.19	\$7,537	\$10,606

<sup>1</sup> Hourly pay rates are rounded to the nearest hundredth.

<sup>2</sup> Monthly pay rates are rounded to the nearest whole dollar.

\*Pay rates may vary slightly due to rounding.

<sup>3</sup> Temporary staff/administrative assignments.