

## **Arcata Fire Protection District and Arcata Professional Firefighters' Local 4981**

### **Side Letter Agreement**

The Arcata Fire Protection District (District) and the Arcata Professional Firefighters' Local 4981 (Association) agree to amend their Memorandum of Understanding (MOU) for the term of July 1, 2018 to December 31, 2020.

Whereas: The District and the Association mutually supported Measure R on the March 3, 2020 Humboldt County general election ballot which concerned a special tax to partially fund the District.

Whereas: Both the District and the Association explained in-writing to the community that if Measure R was not approved, the District would close one of its three fire stations and reduce staffing to four Association fire suppression personnel per twenty-four hour shift.

Whereas: Measure R required a two-thirds vote of those casting votes in the March 3, 2020 election to be approved.

Whereas: Measure R failed to secure the required two-thirds vote and therefore was not approved in the March 3, 2020 election.

Whereas: District revenues absent the additional income that would have provided by Measure R do not support the current staffing level provided in Article 10 of the Parties' MOU.

Whereas: The failure of Measure R to be approved has created a fiscal emergency for the District within the meaning of California Government Code Section 3504.5(b) and Article 28(B) of the Parties' MOU.

Whereas: District revenues support the staffing level advertised by both the District and the Association in the campaign literature concerning Measure R.

Whereas: The District and the Association negotiated in good faith pursuant to the Meyers-Milias-Brown Act concerning the amendment to Article 10 of their MOU described below.

Whereas: The District and the Association agree that staffing will change to four Association fire suppression personnel per twenty-four hour shift as they warned the community during the Measure R campaign.

THEREFORE: The District and the Association agree that Article 10 is amended as follows until the Parties' negotiate a successor MOU for the term beginning January 1, 2021:

#### **Article 10**

##### **Minimum Staffing**

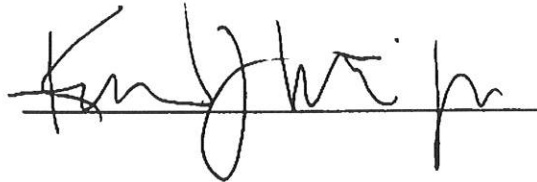
- A. The District shall exhaust all possible avenues to maintain a minimum staffing level, per shift, of four (4) full time, professional safety/suppression employees.

- B. Should any event cause the minimum staffing level to drop below four (4), the District shall recall employees to work as outlined in Article 26 of the Agreement, "Hire Back Procedure."
- C. Effective April 1, 2020, the District shall maintain a minimum of fifteen (15) career employees; which will consist of nine (9) Fire Captains and six (6) Firefighter positions. Effective July 1, 2020, the District shall maintain a minimum of fifteen (15) career employees; which will consist of six (6) Fire Captains and nine (9) Firefighter positions.
- D. The District shall maintain at least one Fire Captain or higher on shift at all times.

For the District:



For the Association:



Date:

3/28/2020

Date:

3/28/2020