

# **2008-2009 GRAND JURY REPORT**

## **Riverside County Fire Department CDF / CAL FIRE Riverside County Volunteer Firefighters**

### **Background**

The California Department of Forestry and Fire Protection (CDF) is the largest full-risk fire department in the Western United States. CDF's staffing is comprised of permanent and seasonal employees and is augmented by inmate labor from the California Department of Corrections and Rehabilitation. On January 24, 2007, CDF changed its name to CAL FIRE. The purpose was to bring CDF's name in line with other state agencies such as Caltrans and Cal Boating.

On June 24, 2008, CAL FIRE re-entered into a Cooperative Reimbursement Agreement with the County of Riverside for the period of July 1, 2008 through June 30, 2011. Expenditures contemplated within this Cooperative Reimbursement Agreement are not to exceed \$149,729,860 for fiscal year 2008-2009.

The Cooperative Reimbursement Agreement provides for fire protection and emergency services within the county's area of responsibility.

The Riverside Operational Headquarters Unit based in Perris is one of the largest fire departments in the nation, with approximately 1,000 fire personnel, nine CAL FIRE stations, 80 plus Riverside County owned stations and 18 contract cities.

In addition to CAL FIRE personnel, the Riverside County Fire Department has access to 700 fire academy trained volunteer firefighters. These volunteers range in age from 18 to 65 in 55 semi-independent volunteer fire companies operating under the umbrella and within the framework of the Riverside County Fire Department. The volunteer fire companies are non-profit organizations, which are tax-exempt under Section 501(c)(3) of the Internal Revenue Code. They also operate within various state and county regulations, such as the California Health and Safety Code, California Corporations Code and County Ordinances, as well as the bylaws and policies of the individual volunteer fire companies.

The volunteer fire service in Riverside County has a long-standing tradition that dates back over 120 years. As trained firefighters the volunteers respond side-by-side with career firefighters to wildland fires, structure and vehicle fires, medical emergencies, traffic collisions, hazardous material incidents, floods and

other emergencies. In addition they also respond on Riverside County Fire Department fire engines, water tenders and breathing support apparatus. These volunteers own and operate approximately 46 squad trucks, which are purchased and maintained with community donations and grants. Many of these squad trucks carry specialized equipment, including the Jaws of Life and other firefighting and rescue tools.

On October 26, 1964, the Riverside County Board of Supervisors extended official recognition and support to the volunteer fire companies serving Riverside County Communities. This action established legal supervision by the county/CDF system. California Health and Safety Code Section 14831 authorize the board of supervisors to regulate the formation and continued existence of volunteer fire companies. On April 21, 2009, the Riverside County Board of Supervisors proclaimed April 19, 2009 through April 25, 2009, as Volunteer Firefighters Week, recognizing their services to their communities.

Today, over one million of the firefighters in the United States serve as volunteers. It is estimated that 25,000 fire departments nationwide are staffed with volunteers or volunteer and career firefighters.

## Findings

1. Currently, the state bills the County of Riverside an administrative charge at the rate of 9.68 percent of the contract. Over the last six years, state administrative charges have increased from a low of \$5.5 million in fiscal year 2002-2003 to a high of \$12.5 million in fiscal year 2007-2008. For fiscal year 2009-2010 the administrative charges will increase to 11 percent.

Fiscal Year	State Administrative Charges (\$)	Increase (\$)	Increase (%)	Administrative Charges (%)
07/08	12,474,646	2,378,673	23.56	10.65
06/07	10,095,973	1,957,257	24.05	9.92
05/06	8,138,716	959,736	13.32	9.10
04/05	7,181,980	888,393	14.12	9.50
03/04	6,293,686	705,769	12.63	10.18
02/03	5,587,818	-----	-----	11.13

2. For many years CDF employed standard staffing of a three-person crew consisting of an engineer with two firefighters, or a captain, an engineer, and a firefighter. Some county stations still use this standard; however, many stations have now implemented municipal staffing. Municipal staffing consists of a captain, engineer, and firefighter on duty at all times. The firefighter often times is also a paramedic. Note: captains, engineers and paramedics command a higher rate of pay.

During a former fire chief's appointment, a judge ruled that employees may not be moved from their assigned station without going to arbitration. For example, if a paramedic engineer calls in sick, is in training, or on vacation, the position must still be filled. If another paramedic engineer is unable to be found, a firefighter paramedic may be assigned to the station to fill that position; however, this still leaves the need for an engineer. When this happens, there are now four employees assigned to a normal three-person shift. Above and beyond the mere addition of an extra member, frequently the replacements are on paid overtime. If a firefighter paramedic and an engineer who are both on overtime replace an engineer paramedic, the additional cost can be considerable. It has been reported that occasionally, there are even two captains and two engineers on an engine at the same time. This is not an anomaly, but happens to some degree every day at quite a substantial impact to the budget.

3. It has become a practice at some fire stations that CDF firefighters will hold back a second engine and call in paid staff on overtime instead of utilizing readily available volunteer firefighters. This intentional delay could possibly jeopardize the safety of the community if an emergency situation arises.
4. In May of 2004, the Riverside County Board of Supervisors implemented Policy C-33, mandatory background checks, for all new county employees as well as the volunteer firefighters; however, background checks are neither mandatory nor a requirement for CAL FIRE applicants. (See Attachment 1).
5. The word "volunteer" is defined as a person who enters any service of his/her own choice and serves without pay. However, volunteer firefighters can apply for compensation when they work a fire lasting over one hour and/or when they are requested to cover a fire station behind an incident to which CDF has responded.
6. The Riverside County Fire Chief estimates the cost of new county purchased personal protective equipment provided to career and volunteer firefighters is approximately \$2,525. Investigation revealed that approximately 60 percent of newly hired volunteer firefighters were not issued new personal protective equipment. Frequently, the personal protective equipment actually received exhibited extensive wear and in some cases defective.

7. There appears to be a lack of inventory control to track unreturned county owned/purchased personal protective equipment. Investigation revealed that some or many CDF Firefighters have illegitimately acquired this personal protective equipment (turnouts) that were issued to former volunteer firefighters and left at the fire station. Pursuant to a Union Local 2881 website column "HUGE STEP FORWARD", amnesty is being offered to holders of these "silent second set of turnouts".  
(See Attachment 2)
8. For the past several years there has been an ongoing campaign by many CDF Local 2881 Board Members to convince the career firefighters that volunteer firefighters are not as well trained, and are plotting to replace them.\* Much of this information has been posted on the CDF official web page that is linked to the Riverside County Fire Department website. This type of propaganda has lent itself to the creation of hostile work environments at some stations (See Attachments 3-6). As an example of the effectiveness of the campaign, when a CDF Captain at a county fire station was asked his opinion of the volunteer firefighters, he immediately became agitated and aggressive and emphatically stated that the volunteers "Suck" and should all be replaced by paid CDF firefighters.
9. It is common practice in many volunteer fire companies that volunteer firefighter auxiliaries, through fundraising ventures, raise money to purchase their own firefighting equipment. In some cases, volunteer firefighters discovered that this equipment was tampered with and/or had literally disappeared.
10. In April 2009, the Riverside County Fire Chief attempted to place a "hiring freeze" on volunteer firefighters to supposedly reduce costs to the Riverside County budget. However, pursuant to the Cooperative Reimbursement Agreement, the Riverside County Fire Chief "...directs and controls coordination with community volunteer fire organizations in order to integrate volunteer efforts with those of full-time personnel." California Health and Safety Code Section 14831 authorize the board of supervisors to regulate the formation and continued existence of volunteer fire companies.

*\*Volunteer firefighters have a minimum of 15 weeks required training at the Volunteer Firefighters Academy. CDF/CAL FIRE and volunteer firefighter instructors conduct the Volunteer Firefighter Academy.*

## Recommendations

**Riverside County Board of Supervisors  
Riverside County Executive Officer  
Riverside County Human Resources Department  
Riverside County Fire Department**

1. The Riverside County Executive Officer should conduct a cost/benefit analysis to determine the feasibility of establishing its own fire department in the future.
2. The Riverside County Fire Chief should return to standard staffing and establish a policy to ensure that all available volunteer firefighters are utilized to minimize the usage of overtime.
3. In the interest of public safety, the Riverside County Fire Chief should prohibit the holding back of any fire apparatus.
4. To conform to the Riverside County Human Resources Policy C-33, mandatory background checks should be negotiated into the next CDF/CAL FIRE contract, should the contract be renewed.
5. Because volunteer firefighters may choose to apply for monetary compensation in certain situations, the Riverside County Board of Supervisors should redefine the term "volunteer". These firefighters should be classified as "paid-call" or the Riverside County Human Resources Department should conduct a feasibility study to create a Reserve Firefighter Position Series to supplement personnel where needed. This would also eliminate costs to the county such as state administrative charges and State Workers' Compensation and would reduce costly municipal staffing overtime charges.
6. Riverside County Executive Officer should conduct a reconciliation to justify the difference between what is/was charged to the county versus the actual value of the equipment issued. The Riverside County Fire Chief must ensure that volunteer firefighters are issued new personal protective equipment that the County of Riverside has purchased.
7. The Riverside County Board of Supervisors should authorize an independent investigation into the illicit acquisition of county property. Once equipment has been located, it should be returned and logged back into inventory. The holders of the "silent second set" of county property should be subject to appropriate disciplinary action.

8. The Riverside County Executive Officer should routinely monitor the links placed on the Riverside County Fire Department's website, to ensure that the contents are not inflammatory, prejudicial or divisive.
9. The Riverside County Fire Chief should take steps to ensure that any form of malicious mischief toward volunteer firefighters will result in disciplinary action.
10. The Riverside County Fire Chief should adhere to the Cooperative Reimbursement Agreement and the California Health and Safety Code Section 14831 as applicable to volunteer firefighters.

**Report Issued:** 06/30/09  
**Report Public:** 07/02/09  
**Response Due:** 09/28/09

**COUNTY OF RIVERSIDE, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b><u>Subject:</u></b>	<b><u>Policy Number</u></b>	<b><u>Page</u></b>
<b>BACKGROUND CHECK POLICY</b>	<b>C-33</b>	<b>1 of 2</b>

**Purpose:**

To establish a policy for conducting pre-employment background and reference checks on potential new hires and for promotion to high-level and risk-sensitive positions, as defined herein.

**Policy:**

It is the policy of the Board of Supervisors to have pre-employment and pre-appointment reference and background checks conducted on potential new hires for all regular and temporary positions, and for promotional candidates for specified high level and risk-sensitive positions.

The successful operation of organizational units within the County of Riverside is dependent upon selection of individuals who possess the skills, knowledge, abilities and valid credentials required of their position; and have the personal and professional attributes that will enable success in the position to which they are appointed. In addition, those selected for high level positions should have a demonstrated history of responsible and effective leadership.

To enable appointing authorities to make well-informed selections/placements, LiveScan criminal records checks through the California Department of Justice (DOJ) will be conducted prior to every new hire for regular or temporary employment at the County of Riverside. Other components of the pre-employment background check are established by Human Resources based on the classification and job assignment. Background and reference checks, including a LiveScan criminal record check, are also to be conducted prior to promotion into positions at the deputy director level or higher, or other sensitive positions.

**Policy Amplifications:**

Background and reference checks are used to verify information provided by applicants and to obtain additional information (i.e., a criminal record and/or significant job-related problems in prior employment) to determine suitability for the position for which any individual is being considered.

The county has contracts with several background check firms (3<sup>rd</sup> party vendors) to conduct background and reference checks. In addition, Human Resources performs LiveScan fingerprint checks.

**COUNTY OF RIVERSIDE, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b><u>Subject:</u></b>	<b><u>Policy Number</u></b>	<b><u>Page</u></b>
<b>BACKGROUND CHECK POLICY</b>	<b>C-33</b>	<b>2 of 2</b>

It shall be the policy of the county for the following steps to be taken prior to extending a formal offer of employment:

1. Obtain as much job-related information as possible from the current and former employer(s) of potential hires.
2. Verify degrees, licenses and other job-related credentials and current status of same.
3. Conduct criminal background and public records checks.

The background check is solely intended for determining an individual's initial employability, promotability, and/or acceptability as a provider of public services. Applicants will not be cleared for hire until their background checks have been completed and approved through Human Resources, unless the Human Resources director approves a special exemption pending receipt of the background report.

Applicants must complete and sign the appropriate release/waiver form(s) prior to the county accessing background check information. Job applicants are consumers and are entitled to protections under the Fair Credit Reporting Act (FCRA) and the Investigative Consumer Reporting Agency Act (ICRAA).

Information received related to background checks shall not be stored electronically and will be destroyed after the hiring or licensing determination. Destruction of this information shall be to the extent that the identity of the individual can no longer be determined.

**Reference:**

Minute Order 3.18 of 02/15/05

Minute Order 3.3 of 04/10/07



## HUGH STEP FORWARD

### Turnouts, Turnout Decor, Turnout Inventory Tracking & 2<sup>nd</sup> Set Turnouts

We have purchased very good turnouts and will always continue to do so. FC Safety Officers Bret Cerni and Rick Gings are as well informed as anyone on the state of the turnout subject. We are working to include turnout cleaning washer extractors at new fire stations and at older fire stations where retro fits are possible. The washer extractors generally require 3 phase 220 VAC electrical service which is not universally available everywhere.

They also require a significantly enhanced water discharge system. We will continue to work on providing the best possible turnout decor equipment. We are also working on a computerized turnout inventory and tracking system that will include the embedding of an electronic chip (like a dog ID chip) in the snap of a turnout piece for the long term tracking of the garment. We clearly value the importance of every FF having a second set of turnouts. There is an idea bouncing around that suggests some or many of our FF's have a silent second set of turnouts that have been acquired when a career or volunteer FF resigned, etc. and left their turnout set at the fire station. We are not interested in a head hunting those with a second set of turnouts. We just want to legitimize the second set and may implement an inspection of the second set and, if serviceable, providing the holder armenesy and continued use of the second set of turnouts.



SEE BELOW FOR EMAIL!

# CDF FIREFIGHTERS RIVERSIDE CHAPTER



## NEWS & VIEWS

UPDATED: JUNE 8, 2000

Click on the heading below to go to that story

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For more CDF Firefighters News go to:  
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<u><a href="#">Chapter Directors Message - May 2000</a></u>	<u><a href="#">Chapter Directors Message - April 2000</a></u>	<u><a href="#">Secretaries Message: "The Drop of Water"</a></u>
<u><a href="#">MOU in Review: Wages</a></u>	<u><a href="#">Member of the Month May 2000</a></u>	<u><a href="#">Alternate Directors Message - Fire Season!</a></u>
	<u><a href="#">Chapter Treasurer's Message - Fundraiser</a></u>	

### CHAPTER DIRECTORS MESSAGE - May 2000 BY STEVE SLAGLE

Once again, we are facing a year that will almost certainly involve each and every one of us making personal sacrifices in order to meet the operational needs of the department. I would venture to say that this department is in a critical situation in maintaining current position classifications and budgeted staffing levels.

As a reminder, if and when the day comes that you are confronted with a forced hire issue, please keep in mind that the alternative could be much worse. The Local Chapter is continuously fighting to keep volunteers from working in CDF positions. We have come a long way from the day where a volunteer was an acceptable replacement for a CDF Firefighter or Fire Apparatus Engineer.

The day will come when we will not be faced with these issues; this is a battle that will be won. However, our success will depend on your cooperation, commitment and patience, this is an essential component of the process.

This Chapter has taken a position of zero tolerance on the practice of volunteers working in place of career staff. We have been assured that, on major incidents, career staff will be called back to cover equipment. Any thing less will be considered a contract violation. I ask all of you to consider making some sacrifices and help protect the job that puts a roof over your head and food on your table.

Please be safe out there your family depends on it.  
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### CHAPTER DIRECTORS MESSAGE - APRIL 2000 BY STEVE SLAGLE

#### THE TRUTH ABOUT EMERGENCY MEDICAL RESPONSE

I was disappointed by the confusing polemic in the Wednesday, March 22, 2000 issue of the Press Enterprise by Rich O'Bryan, the union president of American Medical Response (AMR). While no one would question his personal decency, as the spokesperson for the employee's of a private ambulance company, Mr. O'Bryan does not qualify as either non-partisan or particularly credible when discussing the role of fire departments in providing emergency



beneficiaries of the structure. The rest of the...

## VOLUNTEERS

A volunteer representative has requested that the Riverside County Grand Jury investigate the feasibility of utilizing volunteer firefighters instead of career firefighters. The Riverside County Fire Department has been tasked with providing the necessary background information to the Grand Jury. CDF Firefighters Riverside Chapter representing the career professionals of CAL FIRE has determined this action to be hostile and will be addressing this issue aggressively. We believe it is dangerous for our community and fundamentally wrong to mislead taxpayers in believing that volunteers have the same training or the same commitment to schedules, duties and responsibilities as those individuals who have made firefighting their life's work. However, we are asking that our membership continue to maintain the highest standard of professionalism with the volunteer workforce during this challenging time. Try to remember that most volunteer firefighters look up to the career professionals for leadership, mentorship and integrity. It is our opinion that the Riverside County Volunteer Firefighter Association falls short in appropriately representing the volunteer firefighters. The suggestion of volunteer firefighters replacing CAL FIRE career professionals speaks volumes about their concern to public safety and adequate service delivery. Shame on them. These situations, along with other assaults and threats from individual volunteers, have been a source of great concern.

Unfortunately, the actions of a few bad apples claiming to be the voice of all volunteers have created undue tension at firehouses.

Please visit the following link for information regarding one option available for the future of the volunteer program.

Please Log In first, then go to the link below. You must be a Registered Member in order to view the material.

[Click here to view](#)

## FURLoughs

Nothing new to report here. DPA has not asked to meet this week. We will keep you informed.

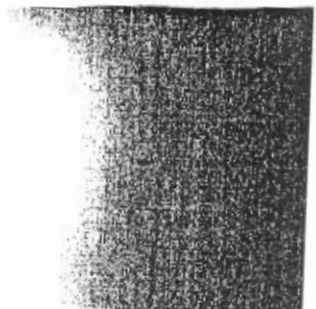
Ray Martinez  
Riverside Chapter Director



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# Gypsies, Tramps and Thieves

I believe most career firefighters began their journey as a volunteer, reserve, pay-call, explorer or cadet firefighter. I also believe that many career firefighters regardless of which fire department they work for, were at one time firefighters for CAL-Fire, USFS or BLM. It is a great starting point that has lead to many productive rewarding careers in the fire service.

The Riverside County Fire Department, in support of individual community volunteer fire companies, offers a great opportunity for individuals seeking a career in the fire service. Many CAL Fire firefighters started their career as a RCOFD volunteer. Most of the



union membership supports such a program that offers up-ward mobility training for fire service career minded individuals.

by:

**Steve Slagle**  
*Deputy Director*

Unfortunately the current Riverside County Fire Department Volunteer firefighting system is severely broken and has been for some time. The RCOFD who oversees the operations, policies and guidelines of the volunteer firefighting program, is having a difficult time with their efforts in resolving the problems that exist. Although there have been improvements, they have not

come without long drawn out battles with the Riverside County Volunteer Firefighter Association.

The Riverside County Volunteer Firefighter Association's representation of the Volunteer Firefighters is poor at best. Their agenda is self serving and does not meet the needs of current fire service industry standards or the needs of the community. Recently their efforts have been focused on eliminating CAL Fire Firefighter jobs by going to the Grand Jury and suggesting service delivery alternatives, which include fire engine staffing reductions and replacing career firefighters with volunteer firefighters. This action alone speaks volumes about this organization and what their motives might be. They have truly become a threat to the career firefighter and to the community they serve.

Many volunteer fire companies have chosen to be a part of the fire house team and support and practice modern policies and procedures. These companies are normally well managed by an experienced CAL Fire company officer liaison where cooperation and respect on both sides is considered routine business. While other volunteer company leaders have chosen to remain synonymous to traditional values of the old archaic volunteer program with little effort in developing new policies or procedures and or maintaining good working relationships with CAL Fire

employees.

The latter of these two types of volunteer companies are well supported by the Volunteer Firefighter Association, who has continuously thwarted efforts in improving the relic volunteer firefighting system. Due to the budget crises we have lost many Riverside County funded CAL Fire jobs, and have suffered many cuts to the entire fire department infrastructure. To this date no cuts have been made in the volunteer firefighting program and it continues to bleed money needlessly. The local government policy makers need to understand that volunteer firefighting is not free and the money currently invested in this program keeps falling short of expected returns.

The American volunteer fire service represents 75% of fire departments nationwide; however it only protects 18% of the American public. 82% of the American public is served and protected by career firefighters. Ask yourself, do you want a career banker or a career firefighter answering your 911 call? Generally the expected standard is that a career uniformed professional will provide this requested service and in Riverside County CAL Fire Firefighters proudly meet that standard. It is time for the leaders of the Volunteer Firefighters Association to step down and or redirect their efforts in doing what is best for the community and not for themselves. They need to stop the

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Riverside Chapter Review June 2009

Attachment 5

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propaganda that is dishonest and misleading and learn to accept the facts as they are.

Our local union membership has long supported the Riverside Chapter in the direction it has gone with the efforts in improving the volunteer program. It is our belief that improvement in this program benefits the community, the volunteers and our membership. Of course there are the critics; but the reality of it is that the volunteers have waged an unfortunate campaign by lobbying to reduce our career firefighters in an effort to use volunteer firefighters. This is a precarious proposal which will lead the department down a path of sub-standard service delivery levels, not to mention the impact of many career firefighters losing their jobs.

I find it very difficult to believe that the very volunteer firefighters, that the volunteer association is suppose to represent, would support such an action which eliminates the jobs that most of them seek. The Riverside County Volunteer firefighters would be much better off without this association and each volunteer company should seriously reconsider its affiliation with them.

In closing we will fight to protect the jobs of our membership at all costs. We will continue to advocate and provide a superior fire service delivery system and the hostile take over efforts by the Riverside County Volunteer Firefighter Association will not go unanswered.

**Riverside Chapter Review June 2009**

**Attachment 6**