

AMENDMENT OF AGREEMENT

This MEMORANDUM OF UNDERSTANDING (this "Agreement") is entered into this 16th day of June, 2020 ("Effective Date") by and between Truckee Meadows Fire Fighters Association-International Association of Firefighters Local 2487 Non-Supervisory unit ("UNION") and Truckee Meadows Fire Protection District (DISTRICT), a fire district formed under NRS Chapter 474 and are hereinafter collectively referred to as the "Parties".

RECITALS

WHEREAS, the DISTRICT and UNION have entered into a Collective Bargaining agreement dated August 17, 2020, which agreement expires June 30, 2022 (LABOR AGREEMENT); and

WHEREAS, the DISTRICT conducted a promotional exam for the position of Fire Captain in September 2020 and that list has subsequently been exhausted, and,

WHEREAS, the LABOR AGREEMENT requires that promotional exams be conducted every two years, and,

WHEREAS, the DISTRICT anticipates the need for a renewed promotional list due to anticipated vacancies prior to the next scheduled exam, and,

WHEREAS, the UNION acknowledges that an interim promotional exam for the position of Fire Captain needs to be conducted with exceptions to the current eligibility and testing requirements, and,

WHEREAS, the DISTRICT created the position of "Fire Crew Boss and Heavy Equipment Operator", and,

WHEREAS, the UNION requested the fuels division Fire Crew Boss and Heavy Equipment Operator positions be represented by the UNION; and,

WHEREAS, the DISTRICT finds that there is a sufficient community of interest in the position to merit representation by the DISTRICT; and,

WHEREAS, the Parties have mutually agreed to amend certain articles and provisions of the LABOR AGREEMENT to reflect the representation by the UNION of the new positions as well as a negotiated salary range for the same, which amended provisions shall apply during the term of the LABOR AGREEMENT

NOW THEREFORE, the Parties hereby agree as follows:

ARTICLE 2 - RECOGNITION

Paragraph A. shall be amended to read as follows:

The District hereby recognizes the Union as the exclusive bargaining agent for all non-supervisory, supervisory, and emergency support services personnel engaged in fire prevention, suppression,

and fire equipment/apparatus repair and maintenance in the Truckee Meadows Fire Protection District:

1. Firefighter/EMT
2. Firefighter/Paramedic
3. Fire Engineer
4. Fire Captain – Suppression/Training
5. Fire Captain – Prevention
6. Fire Prevention Specialist I
7. Fire Prevention Specialist II
8. Fire Mechanic
9. Fire Mechanic/Logistics Assistant
10. EMS Coordinator
11. Fire Squad Boss*
12. Fire Crew Member*
13. Fire Crew Boss**
14. Heavy Equipment Operator**

* Inclusion of these members shall be effective May 25, 2020.

** Inclusion of these members shall be effective October 12, 2020.

ARTICLE 13 - SALARIES

Article shall be amended to read as follows:

These pay rates shall be effective as of July 1, 2019 and are reflected in the salary schedule attached hereto as Appendix A and by reference incorporated herein. All posted documents shall be limited to hourly rates of compensation for all positions.

Classification:

1. Firefighter/EMT
2. Firefighter/Paramedic
3. Fire Engineer
4. Fire Captain – Suppression/Training
5. Fire Captain – Prevention
6. Fire Prevention Specialist I
7. Fire Prevention Specialist II
8. Fire Mechanic
9. Fire Mechanic/Logistics Assistant
10. EMS Coordinator
11. Fire Squad Boss
12. Fire Crew Member
13. Fire Crew Boss
14. Heavy Equipment Operator

ARTICLE 14 –PROMOTIONS

A. Eligibility

1. The Fire District shall provide the Human Resources Department with an accurate list of those candidates eligible to compete for each classification prior to posting of the job announcement. The Fire District shall validate the eligibility of all applicants of the classification posting within 7 calendar days of closing.
2. To have the opportunity to take a promotional examination for an eligibility list, an applicant must meet the minimum qualifications by no later than 1700 hrs. of the District workday prior to the test date. Minimum qualifications shall be established by the District Director of Human Resources or designee, Fire Chief or designee, Union President and one additional Union Executive Board member.
3. All promotional vacancies for classifications within the bargaining unit shall be filled by promotion from within the Fire District.
 - a. Captain – All qualified applicants will have met the following provisions and then shall be eligible to test for the position of Captain.
 - I. 5 years of District seniority
 - II. Be qualified as an Engineer or have completed Engineer Development School (EDS)
 - III. Successfully completed Officer Development School (ODS). For the interim promotional exam scheduled for 2021, candidates will not be required to have completed ODS prior to testing or appointment. However, personnel who have not completed ODS and are promoted will need to complete ODS at the next scheduled opportunity. These personnel will be provided training leave to attend if the course falls on a regularly scheduled day but will attend on their own time if the course falls on regular days off.
 - b. Employees hired before June 30, 2014 with documented prior full time paid all risk experience outside the District will have that experience counted towards their district seniority solely as it relates to promotional and acting opportunities. This provision will end July 1st, 2019.
 - c. Engineer – All qualified employees with 3 years of seniority with the District, and who have successfully completed Engineer Development School (EDS), shall be eligible to test for the position of Engineer.

INTENT- ODS and EDS will be provided by the District

B. Employees who are promoted will be placed in their new rank, pay grade step, to be at least 10% above their current step plus any incentive pay, if applicable.

C. Promotions shall be filled by the rule of three.

1. Example: for the first position the district will interview the top 3 candidates, 1 candidate will be promoted. For the next position the District will interview the top 3 candidates from the updated list after the first promotion.

D. Posting

1. If applicable, bibliographies shall be posted a minimum of 120 calendar days in advance of the month of testing.
2. The following is the schedule for all classification postings for promotional opportunities:
 - a. Paramedic will be posted for a minimum of 3 weeks.
 - b. Engineer will be posted for a minimum of 3 weeks during the month of July on odd years.

- c. Captain will be posted for a minimum of 3 weeks during the month of July on even years.
- d. Any remaining position found in Article 2 (Recognition) will be posted for a minimum of 3 weeks.

INTENT- This schedule will be followed by 2020, the parties mutually agree that interim tests may need to be held to fill the District's needs.

- 3. The District shall have 5 business workdays to resolve all appeals to certify and publish a promotional list for the following dates:
 - a. The Engineer promotional list shall be effective from October 1st of the testing year through September 30th of the following odd year.
 - b. The Captain promotional list shall be effective from October 1st of the testing year through September 30th of the following even year.
- 4. The District shall maintain and post the two-year promotional list that is established, and a copy shall be furnished to the Union upon publication of the list.

E. Examination Procedures

- 1. All applicants shall apply for the posted position through the District's designated application process by the closing of the job opening.
- 2. Examinations may include written, practical, assessment center, oral board, or any combination of the aforementioned at the sole discretion of the Fire District.
- 3. The Fire District will determine the weights (percentages) to be used for each phase and will meet and confer with the Union over any changes. The minimum passing score shall be 70% for each phase or section of the testing process. A candidate will not proceed in the testing process if he/she does not achieve at least a 70% on the written, practical, assessment center or oral board. Each section will be weighted with a percentage to give an overall score. The overall score shall be 70% to be considered passing.
- 4. The Fire District will provide employee development opportunities for all personnel interested in testing for promotion to the rank of Engineer or Captain within the Fire District. The following will be the dates for development and testing for the positions of Engineer and Captain:
 - a. The Fire District will provide Engineer Development School (EDS) between the months of January-April in odd years. Testing for Engineer will be conducted during the month of September in odd years.
 - b. The Fire District will provide Officer Development School (ODS) between the months of January-April in even years. Testing for Captain will be conducted during the month of September in even years.
- 5. All other promotional examinations will occur, as needed, with the required 120 calendar days in advance posting of the bibliography.
- 6. Any promotional examination grading panel shall consist of a minimum of one individual of equal rank and two individuals of equal or greater rank for the position being tested. **Due to the COVID-19 pandemic, the required number of evaluators may be reduced during promotional exams conducted in 2021. However, no less than two evaluators should be used in any type of scenario-based assessment.**
- 7. All evaluators for exams shall be from professional Fire Departments or **have subject matter expertise in the respective portion of the exam.** In the event a specific fire ground knowledge and/or skill is not required for a portion of the test or evaluation an outside evaluator may be acquired for only that portion of the exam.

8. If identical scores are achieved, ranking shall be determined by Fire District seniority.
9. Employees eligible for promotional examinations shall be given appropriate time off to take the examination and return to duty. Such time off shall not result in any loss of pay.

F. Confirmation

1. Subject to prior recommendation of the Fire Chief and the approval of the District's Human Resources department, anyone promoted and serving in an initial probationary status shall become eligible for confirmation into his/her respective classification upon completion of the 12-month probation period.
2. If the employee is unable to be confirmed in to the new classification because he/she is unable to demonstrate the ability to perform his/her job or lacks the ability to progress, then he/she shall be returned to his/her previous job classification and rate of pay. There shall not be any gain in any benefits if this occurs, nor shall this result in layoffs of any position.
 - a. If the employee promotes to a non-represented position, they forfeit their right to return to any position represented by Local 2487.
3. A promotion made hereunder is not final until any resulting grievances have been resolved.

APPENDIX A - SALARY SCHEDULE

Appendix A – Salary Schedule is amended to include the following:

<u>Classification</u>	<u>Step</u>	<u>3% COLA 7/1/2020 FY20/21</u>	<u>3% COLA 7/1/2021 FY21/22</u>
Fire Captain/ Fire Captain- Prevention	1	25.01	25.76
(2912 Hours)	2	26.71	27.51
Police/Fire PERS	3	28.52	29.38
	4	30.44	31.35
	5	32.52	33.50
Fire Captain/ Fire Captain- Prevention	1	35.02	36.07
(2080 Hours)	2	37.40	38.52
Police/Fire PERS	3	39.91	41.11
	4	42.60	43.88
	5	45.52	46.89
Fire Captain/ Fire Captain- Prevention	1	37.24	38.36
(2080 Hours)	2	39.77	40.96
Regular PERS	3	42.44	43.71
	4	45.30	46.66
	5	48.40	49.86

Crew Boss	1	31.18	32.12
(2080 Hours)	2	33.31	34.31
Regular PERS	3	35.56	36.63
	4	37.96	39.10
	5	40.57	41.79

Heavy Equipment Operator	1	26.05	26.83
(2080 Hours)	2	27.77	28.60
Regular PERS	3	29.60	30.49
	4	31.56	32.51
	5	33.66	34.67

Signed this 2nd day of March 2021 for the:

**International Association Firefighters,
Local 2487 Non-Supervisory Unit**

**Truckee Meadows Fire Protection District
Board of Fire Commissioners**

Josh Kutz, President

Bob Lucey, Chairman