



June 13, 2016

SUBJECT: 2016 CALIFORNIA FIRE ASSISTANCE AGREEMENT (CFAA) UPDATES AND REMINDERS

Dear Fire Chief:

The California Fire Assistance Agreement Committee has completed their yearly negotiations of the exhibits portion of the Agreement.

Enclosed within this letter, you will find the most relevant changes and reminders effective May 1, 2016. Please ensure that all fire agency personnel that are impacted by incident orders and requests through the CFAA familiarize themselves, and/or disseminate the information appropriately, as the information affects reimbursement rates, methodologies and formulas for this year.

Exhibit A – General

Page A-1 Clause A-1
Updated intent statement to better clarify “reimbursement” and how it is utilized by the CFAA signatories.

It is the intent of the signatories to the CFAA to ~~compensate~~ reimburse California Fire and Rescue Mutual Aid System Agencies, including accrued financial liability for the cost of assisting the State of California and the Federal Fire Agencies. The rates, methodologies, and formulas in the Agreement are intended to provide for such costs. The ~~compensation~~ reimbursement shall be consistent with the California Fire and Rescue Mutual Aid System Agency’s normal internal business practices and any existing Memorandum of Understanding (MOU)/Memorandum of Agreement (MOA), Governing Body Resolution (GBR), or equivalent, which supports those business practices.

Page A1-A2 Clause A-5 & A-6
Free period change – 12 hour versus 4 hours:

Department of Interior Agencies (BLM, NPS, BIA, & FWS) will no longer reimburse from the time of initial dispatch but rather after the fourth hour (4th hour). USFS and CAL FIRE still require a 12 hour free period.

Page A-2 Clause A-7
Actual Administrative Rate Due Date REMINDER:

California Fire and Rescue Mutual Aid System Agencies that develop an Actual Administrative Rate must review and update their rate by July 1 of each year. If an agency fails to submit an updated rate by July 1 of each year, Cal OES will automatically default the agency to the 10% base administrative rate set by the Committee until an update rate is received.

Exhibit A – Reimbursement - Personnel

Page A-3

Clause A-8.1

The annual salary survey and signature is now required for all agencies seeking the base and/or the average actual rates. The required signature of the Chief Financial Officer has been changed to the Agency’s Authorized Representative.

Previous language: ~~Any agency seeking reimbursement for its personnel at a rate higher than the appropriate Base Rate, must complete the annual salary survey and file it with Cal OES Fire and Rescue Division. The Chief Financial Officer will provide verification that the personnel wages exceed the Base Rate for each requested position.~~

New language: All agencies seeking reimbursement for their personnel must complete and sign the annual salary survey and file it with Cal OES Fire and Rescue Division. The Authorized Representative will provide verification that the personnel wages are accurate for each requested position.

Page A-3

Clause A-8.2**Portal to Portal Reimbursement REMINDER:**

Any agency seeking reimbursement for personnel for more than actual hours worked on the incident (portal-to-portal) must file an MOU/MOA, GBR, or equivalent with Cal OES Fire and Rescue Division. The MOU/MOA, GBR, or equivalent shall indicate how personnel will be compensated.

**** Only submit an MOU/MOA, GBR or equivalent if your fire agency has not followed the above clause, or if your agency approved document indicates an expiration date and that date has since passed, or is coming to an end.****

Formula for Establishing the Base Rates

Page A-5

Updated formulas to include the “2016” AD-F and CAL FIRE Apparatus Engineer Rate for Engine Company Personnel and Overhead at or below the Strike Team/Task Force Leader:

Numerical Calculation: $23.76 + 18.51 = 42.27 / 2 = 21.14$, $((21.14 \times 40) + (21.14 \times 1.5 \times 128)) = 4904.28 / 168 = \29.19 (OT) $\times .6667 = 19.46$ (ST) and;

The “2016” AD-H and CAL FIRE Captain Rate for Overhead at or above the Strike Team Leader/Task Force Leader:

Numerical Calculation: $29.04 + 22.90 = 51.94 / 2 = 25.97$, $((25.97 \times 40) + (25.97 \times 1.5 \times 128)) = 6025.04 / 168 = \35.87 (OT) $\times .6667 = 23.91$ (ST)

Link to: [2016 CFAA Rate Letter](#)

Page A-6

Clause A-15.3**Personnel above the Battalion Chief level that are paid above straight time
REMINDER:**

If personnel above the Battalion Chief level have an MOU/MOA, GBR, or equivalent that indicates they are to be paid above straight time, the reimbursement will be calculated using one of the following formulas. The MOU/MOA, GBR, or equivalent is subject to the provisions in Clause A-9, and must not be contingent on this Agreement or executed on the sole basis that there is reimbursement from Cal OES, CAL FIRE, or the Federal Fire Agencies.

**** Only submit an MOU/MOA, GBR or equivalent if your fire agency has not followed the above clause, or if your agency approved document indicates an expiration date and that date has since passed, or is coming to an end.****

Support Equipment, Privately-Owned Vehicles, and Rental Vehicles

Page A-11

Clause A-31

The State of California or Federal Fire Agencies will no longer make arrangements for procuring rental vehicles for local government team members or local government fire agency personnel. Fire agencies/personnel are responsible for making their own arrangements and are required to adhere to Exhibit “H”, and the terms within the exhibit pertaining to Rental Vehicles.

The use and reimbursement of rental vehicles requires authorization either at the time of the initial request in ROSS, or documented by written approval at the incident. Rental vehicles from an airport are discouraged and the use of economy cars are encouraged. Rental vehicles and the fuel expense while responding to, during, or returning from a State of California or Federal Fire Agency incident will be reimbursed for the actual costs incurred by the California Fire and Rescue Mutual Aid System Agencies. The process to obtain reimbursement for rental vehicle expenses is outlined in Exhibit “H”.

Exhibit H

In-State Travel and Incident Related Expenses

Exhibit “H” and the Incident Related Expenses “Form” have become as essential as the Form F-42.

Page H1-H5

Language added to the exhibit outlining the requirements for procuring rental vehicles, travel and per diem costs, as well as loss or damages attributable to the incident. The process in which to receive reimbursement for direct costs associated with this exhibit will require fire agencies/personnel to adhere strictly to the terms set forth in this exhibit. If fire agencies/personnel fail to follow the terms, reimbursement may be significantly delayed or determined not eligible.

Exhibit I

Definitions

Newly added definitions for clarification purposes:

Page I-1

Actual Hours shall mean on shift time which includes a specific start and ending time and is recorded as clock hours. On shift time includes actual work, ordered standby and compensable travel. Individuals are required to report to their designated work site as scheduled, ready and willing to perform work safely.

Page I-2 **Compensate** shall mean to give money in return for something such as work or payment for something lost or damaged.

Page I-4 **Reimbursement** shall mean to pay someone/agency an amount of money equal to an amount that agency has spent or where the agency has accrued a financial liability.

Definition Reminders

There are three classifications of personnel type defined within the CFAA. Please make sure to request reimbursement appropriately by defining what classification type your agency personnel are and submit the appropriate salary survey forms before initial dispatch.

Page I-3 **Non Suppression Personnel** shall mean personnel who occupy a civilian position within a fire agency.

** (Complete and sign Attachment A. of the Cal OES Salary Survey.) **

Link to: [Attachment A. of the Cal OES Salary Survey](#)

Page I-4 **Supplemental Personnel** shall mean overhead tied to a local fire department generally by agreement who are mobilized primarily for response to incidents/wildland fires outside of their district or mutual aid zone. They are not a permanent part of the local fire organization and are not required to attend scheduled trainings, meetings, etc., of the department staff.

** (Complete and sign Attachment B. of the Cal OES Salary Survey and follow GS pay rates and tables for each respective year as well as NWCG Attachment D.) **

Link to: [2016 GS Pay Rates](#)

Link to: [NWCG Attachment D.](#)

Link to: [Attachment B. of the Cal OES Salary Survey](#)

Suppression Personnel shall mean personnel who routinely respond to emergencies.

** (Complete and sign Cal OES Salary Survey.) **

Link to: [2016 Cal OES Salary Survey](#)

In conclusion, fire agencies are expected to reimburse their agency personnel the pay rates submitted on the annual salary survey. If Cal OES, does not receive a signed 2016 Annual Salary Survey from your agency's authorized representative indicating your agency's rates, Cal OES will have no basis to process an invoice for payment for any responses ordered and requested through the CFAA.

If you have questions regarding any of the referenced changes and or reminders, please review the [CFAA with 2016 updated exhibits](#) in correlation with the page numbers and references to the specific clauses noted in this letter. All other inquires can be directed to Lori Lopez at lori.lopez@caloes.ca.gov.

Thank you for your constant support and patience while we strive to meet the terms and conditions of all parties involved with the CFAA.

Sincerely,



Kim Zagaris
State Fire and Rescue Chief