

## **Side Letter of Agreement**

Between the

San Mateo Consolidated Fire Department

And

San Mateo County Firefighters, Local 2400, International Association of Firefighters,  
Battalion Chiefs, District 13

### **Article 27 Special Command Pay**

#### **27.2 Voluntary Overtime Staffing Procedure**

- a. There shall be one voluntary overtime picklist for both Shift Battalion Chiefs and 40-hour Battalion Chiefs.
- b. The voluntary overtime picklist shall be arranged according to seniority in classification and last opportunity worked. On January 1<sup>st</sup> of each year the picklist will reset and be arranged according to seniority in classification. The individual with the most seniority will be at the top of the list and receive the first opportunity to accept an overtime assignment. The individual with the least seniority will be at the bottom of the list and receive the last opportunity.
- c. The 40-hour Battalion Chief shall receive a reduced opportunity on the voluntary overtime picklist to offset the inequity created by their limited ability to participate in mandatory overtime. This will be accomplished by populating the voluntary overtime list so that each Shift Battalion Chief's name appears three (3) times for every one (1) time a 40-hour Battalion chief's name appears.
- d. The picklist will rotate by last opportunity worked (minimum of 12 hours). Opportunity worked shall include instances when a 40-hour Battalion Chief works as a Shift Battalion Chief on their regularly scheduled workday, even though a portion of the day is compensated at regular pay.
- e. Employees who are hired first for less than 24 hours of voluntary overtime on a given day shall have first right to any additional continuous hours resulting from schedule changes, up to the end of that shift.

- f. Employees may reject a voluntary overtime staffing offer without penalty.
  - g. Newly promoted Battalion Chiefs will be placed at the bottom of the respective overtime picklist at the time of their promotion.
  - h. Shift employees requesting leave on Thanksgiving, Christmas Eve, and Christmas Day will only be granted leave if staffing allows for their vacancy to be filled by voluntary overtime.
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- ~~a. The Department shall utilize the designated computer program (currently Telestaff). Employees may access the program via computer in the fire stations, or from home via the internet from their personal computers. It is the responsibility of the employees who wish to be available for overtime to make sure the computer program has properly recorded their availability on all or part of the specific date. Employees may access the computer program at any time to make modifications to their availability or contact information. The back up for the computer program will be a telephone call to the Deputy Chief. Training will be provided for all employees on the computer program's operations prior to implementing any new features of the program.~~
  - ~~b. Staffing will be performed through use of the computer program. It will contact identified voluntary employees by their listed phone number. Employees who receive an automated contact will follow the procedures for accepting or rejecting overtime.~~
  - ~~c. If an employee accepts a voluntary overtime assignment, the number of voluntary overtime hours worked will be added to the total hours the employee has worked that year. Employees may only reject a voluntary overtime assignment when another employee is signed up and willing to cover the vacancy. Voluntary overtime assignments may not be rejected when the rejection would cause a mandatory overtime assignment to another employee. If an employee rejects any voluntary overtime assignment within rank of over four hours that is within the time window the employee had declared themselves available, the computer program will add 24 hours to the total number of hours the employee has worked that year. Failure of an employee to accept or~~

~~acknowledge voluntary overtime in Telestaff or by direct contact with the duty BC shall result in the employee having 24 hours added to the total hours the employee has worked that year. Overtime notifications not received due to technical difficulties with the department staffing software or hardware will be grounds for waiving of the 24 hour penalty. Personal technological issues are not reason for wavier of the 24 hour penalty.~~

- ~~d. The voluntary overtime list will be according to total hours and seniority. January 1<sup>st</sup> of each year the total number of hours worked will be reset to zero and the computer program will arrange the list according to seniority by job classification. Hours worked, or the refusal penalty, will be added to the overtime account of each employee throughout the year. Employees with the least number of hours worked will get the first opportunity to accept an overtime assignment. If two employees have the same number of hours worked, the senior employee will have the first opportunity to accept an overtime assignment.~~
- ~~e. Overtime worked by holding over for less than for (4) hours, or approved special projects, OES or FEMA assignment will not be calculated to the total overtime worked for purpose of determining placement on the voluntary overtime list.~~
- ~~f. Personnel changing platoons or job classifications shall be placed on the overtime list based on their total hours overtime worked that year.~~
- ~~g. No trades are allowed while working overtime.~~
- ~~h. Personnel hired first for less than 24 hours for voluntary overtime on a given day shall have first right to receive additional continuous hours due to schedule changes, up to the end of that shift.~~
- ~~i. Every effort will be made to staff between the window of 1700 and 2000.~~

### **27.3 Mandatory Overtime Staffing Procedure**

- ~~a. When the voluntary system (outlined above) fails to provide enough volunteers, the Staffing Officer shall implement the following mandatory overtime staffing procedure.~~

- b. The Shift Battalion Chiefs shall be the first group to be mandated to work, and their order of hire is outlined below in section e.
- c. A mandatory picklist shall be maintained for the 40-hour Battalion Chief group. 40-hour Battalion Chiefs who work four or more hours of mandatory overtime shall have their name moved to the bottom of the mandatory overtime picklist.
- d. Newly promoted 40-hour Battalion Chiefs will be added to the mandatory picklist in reverse seniority of job classification.
- e. Mandatory Hiring Order.  
The order of priority for mandatory overtime for the first day of a two-day tour is:
  - 1. The Shift Battalion Chief who is scheduled to get off duty.
  - 2. The Remaining Shift Battalion Chief.
  - 3. The 40-hour Mandatory Battalion Chief Picklist.  
The order of priority for mandatory overtime for the second day of a two-day tour is:
  - 1. The Shift Battalion Chief who is scheduled to report to duty the following day.
  - 2. The Remaining Shift Battalion Chief.
  - 3. The 40-hour Mandatory Battalion Chief Picklist.
- f. Employees mandated to work overtime are responsible for working the assigned shift unless they can find another qualified employee of any rank to work in their place.
- g. Every attempt shall be made to avoid mandating an employee who has an approved vacation/leave of twelve (12) hours or greater that includes their regular duty day prior to, or immediately following, the mandated shift. Employees exercising the vacation exemption from mandatory overtime must utilize the leave.
- h. Every attempt shall be made to avoid mandating an employee to work beyond ninety-six (96) hours without a break of twenty-four (24) consecutive hours except on a voluntary basis.
- i. Every attempt shall be made to avoid mandating an employee to work shifts that begin on either Christmas Eve or Christmas Day. However, they may be mandated to work one of those shifts in its entirety, provided that they are not

mandated to work more than four (4) hours on the other shift.

- a. ~~When the voluntary system (outlined above) fails to provide enough volunteers, the Staffing Officer shall implement the following mandatory staffing procedure.~~
- b. ~~Every attempt shall be made to avoid mandating **ANYONE** to work within the requirements of the staffing rules.~~
- c. ~~When the Staffing Officer or designee has completed the attempt to contact any available volunteer, the mandatory overtime mode is initiated. If the shift being filled for is a designated holiday identified in the Holiday Mandatory Overtime Staffing Procedure Section 30.2.4 a. of this procedure, the holiday mandatory overtime system shall be followed. No employee can be ordered to work mandatory overtime out of their job classification. The principle of rank for rank will be used when mandating overtime. This provision does not apply to employees assigned on an interim basis as Acting Battalion Chief. The Staffing Officer or their designee will follow the staffing rules for mandatory overtime.~~
- d. ~~Employees mandated to work overtime are responsible to work the assigned shift unless they are able to find another qualified employee, of any rank, to work in their place. The replacement employee shall have the hours worked added to their total overtime hours in the computer program. Mandated employees who find their own replacement shall be exempt from any additional occurring mandatory overtime for that date. Mandated employees who actually work four or more hours of mandatory overtime shall have their name moved to the bottom of the mandatory overtime list.~~
- e. ~~A mandatory overtime list shall be maintained in the computer program, that determines the order in which the employees will be mandated (by reverse seniority and most recent hours) to work overtime. The mandatory list is located in the computer staffing program (Telestaff) for use when mandatory overtime is required.~~
- f. ~~No employee will be mandated to work overtime if they are on an approved vacation of 12 hours or greater prior to, or their next regular duty day following the mandated shift. No employee can be mandated to work overtime, or their regular duty shift, if the order would require that employee to work~~

~~more than 96 hours without a 24 consecutive hour break. Employees exercising the vacation exemption from mandatory overtime must utilize the leave.~~

- g. ~~No employee shall be mandated to work beyond ninety-six (96) hours without a break of twenty-four (24) consecutive hours except on a voluntary basis to avoid mandatory overtime hiring or under emergency conditions declared by the Fire Chief or designee. Employees volunteering to work beyond ninety-six (96) hours will be responsible to work their regular scheduled shifts and shall not be allowed to work beyond a maximum three hundred thirty six (36) hours without a minimum break of twenty four (24) consecutive hours. Due regard shall be given to employee safety and mental health.~~

#### **~~27.4 Holiday Mandatory Overtime Staffing Procedure~~**

- a. ~~This procedure shall be used to hire mandatory overtime for Thanksgiving, Christmas Eve, and Christmas Day. Notification of those being mandated for overtime will be as far in advance as possible. For these holidays, notification of those being ordered to work mandatory overtime shall be done 96 hours in advance. The number of people notified will be determined by the actual number of vacancies on those holidays for which it is anticipated that overtime will be needed to fill, plus two in each job classification, including paramedics if not included in the other classifications. Any employee notified twice in the same calendar year for mandatory overtime on a holiday, but not used for either day, will have the second date assigned as a date worked and move to the bottom of the mandatory overtime list. If personnel needed exceeds the number of personnel notified, the Battalion Chief shall invoke the Emergency Overtime procedure utilizing the mandatory overtime list as the first means of staffing. Should the mandatory overtime list be exhausted, vacancies shall be filled by the first person contacted.~~
- b. ~~All employees who are not on vacation the last 12 hours of their normal duty day prior to the mandated holiday or the first 12 hours of their next normal duty day after the holiday (referred to as "bracketed days"), will be considered available for holiday mandatory overtime. All employees not on vacation, sick leave, workers compensation, or other recognized leave, will be available to be mandated to work~~

~~overtime on the three holidays listed in 30.2.4a. Employees exercising the vacation exemption from holiday mandatory overtime must utilize the leave. Bracketed days cannot be traded. Employees denied vacation leave for Thanksgiving, Christmas Eve, or Christmas Day due to a lack of overtime volunteers will have their names placed at the bottom of the mandatory overtime list.~~

- ~~c. When one platoon is responsible for both holidays, i.e., Christmas Eve and Christmas Day the following will take place:~~

~~For example, employees will be notified according to the existing procedure. Once employees are notified, the person at the bottom of the list of employees notified will have first choice picking either Christmas Eve or Christmas Day. The next person from the bottom of the list will have the next choice for either Christmas Eve or Christmas Day. This procedure will take place until all slots are filled for both days. (Group the needs of those notified for both days together on one list, then have the personnel choose.)~~

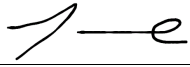
~~An example of the above procedure is as follows:~~

|    |                              |
|----|------------------------------|
| 1  | Last Choice                  |
| 2  | Eleventh Choice              |
| 3  | Tenth Choice                 |
| 4  | Ninth Choice                 |
| 5  | Eighth Choice                |
| 6  | Seventh Choice               |
| 7  | Sixth Choice For Either Day  |
| 8  | Fifth Choice For Either Day  |
| 9  | Fourth Choice For Either Day |
| 10 | Third Choice For Either Day  |
| 11 | Second Choice For Either Day |
| 12 | First Choice For Either Day  |

- ~~d. No employee shall be mandated to work overtime, except emergency overtime, if it requires them to work a minimum of four (4) hours on each shift of Christmas Eve and Christmas Day. No employee will be mandated to work to replace another who is working out of rank for a short term Temporary Upgrade (acting) assignment.~~
- ~~e. Mandated employees who find their own replacement shall be exempt from any additional occurring overtime for that date.~~

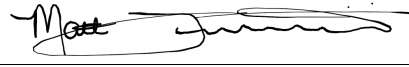
Date: 9/27/2026

For the IAFF:

A handwritten signature in black ink, appearing to be 'Jeff Thorne', written over a horizontal line.

Jeff Thorne, Local 2400 Shop Steward

For the SMC Fire:

A handwritten signature in black ink, appearing to be 'Matt Turturici', written over a horizontal line.

Matt Turturici, Fire Chief

A handwritten signature in black ink, appearing to be 'Nick Doyle', written over a horizontal line.

Nick Doyle, Secretary Treasurer, Local 2400

A handwritten signature in black ink, appearing to be 'Andrew Martinez', written over a horizontal line.

Andrew Martinez, President, Local 2400