

Amendment to the 2023 – 2027 Memorandum of Understanding Between the City of Ontario and Ontario Fire Management Group

The City of Ontario and the Ontario Fire Management Group (Group), agree to modify Article II, Sections 9.03, 15.02, and 15.03 of their Memorandum of Understanding (MOU) covering the period of July 1, 2023, through June 30, 2027, as reflected below. The modifications to Article II, Sections 9.03, 15.02, and 15.03 are intended to further document the operational staffing requirements for non-shift employees on scheduled holidays, and the calculation of both Holiday Pay and Management Incentive Pay. These clarifications document and acknowledge the intent that was in effect as early as July 1, 2020.

1. Paragraph H of Article II is hereby restated in its entirety to read as follows:

“H. Regular Rate of Pay - The regular rate used to calculate the Fair Labor Standards Act ("FLSA") premiums pay reported to CalPERS, inclusive of an employee's base hourly rate, eligible items of special compensation that an employee receives at the time FLSA is calculated (Longevity Pay, Educational Incentive, and all compensation items under Section 10.02 and 10.03), and all other items of compensation that are included in the FLSA calculation.

Regular Rate of Pay is also used in the calculation of Holiday Pay and Management Incentive Pay, but is calculated using only base pay and other eligible items of special compensation (Longevity Pay, Educational Incentive, and all compensation items under Sections 10.02 and 10.03).”

2. Section 9.03 of Article IX is hereby restated in its entirety to read as follows:

“Section 9.03 Management Incentive Pay

Group employees assigned to non-shift administrative positions shall receive Management Incentive Pay at the rate of 7.42 hours per pay period, for a total of 193 hours each calendar year due to the unique nature of their management duties. Such time shall be paid at the employee's Regular Rate of Pay. Upon implementation, eligible unit employees shall receive a prorated amount of Management Incentive pay for the period of January 1, 2023, up to the effective date of implementation.

Management Incentive Pay is inclusive of an employee's base hourly rate and eligible items of special compensation that an employee receives at the time Management Incentive Pay is calculated (Longevity Pay, Educational Incentive, and all compensation items under Sections 10.02 and 10.03).”

3. Paragraph A of Section 15.02 of Article XV is hereby restated in its entirety to read as follows:

“A. Accrual of Holiday Hours Credit - Group employees assigned to shifts will receive 12 hours credit for each of the above holidays regardless of whether the employee is on or off duty when the holiday occurs. This Holiday Pay is in recognition of shift positions experiencing required scheduled staffing without regard to holidays and because those positions may be scheduled to work on approved holidays as part of their normal full-time schedule.

Holiday Pay hours credit is inclusive of an employee’s base hourly rate and eligible items of special compensation that an employee receives at the time Holiday Pay is calculated (Longevity Pay, Educational Incentive, and all compensation items under Sections 10.02 and 10.03).”

4. Section 15.03 of Article XV is hereby restated in its entirety to read as follows:

“Section 15.03 Holidays for Non-Shift Employees

Due to operational necessity and required scheduled staffing without regard to holidays, employees in the classification of Deputy Chief or Sr. Deputy Chief may be scheduled to work on approved holidays as part of their normal full-time schedule. Because these positions experience required scheduled staffing, employees shall receive credit for each approved holiday at a rate of 10 hours per holiday, at their Regular Rate of Pay for a maximum of 150 hours of holiday credit each calendar year. Employees shall be compensated for this holiday credit at the rate of 5.77 hours per pay period, for a total of one hundred and fifty (150) hours holiday pay per annum (5.77 is calculated at 26 pay periods). Holiday Pay is inclusive of an employee’s base hourly rate and eligible items of special compensation that an employee receives at the time Holiday Pay is calculated (Longevity Pay, Educational Incentive, and all compensation items under Sections 10.02 and 10.03).

For non-shift employees, all Statewide Election Days, every day designated by the President of the United States or by the Governor of the State of California, any special holiday called by the President or Governor of the State of California, any special holiday or Designated day called by the President or Governor shall receive an additional 10 hours credit for each designated special holiday regardless of whether the employee is on or off duty when the holiday occurs. The City agrees to pay the special holiday in the pay period in which the holiday falls.”

Approved:



Scott Ochoa, City Manager
City of Ontario

October 3, 2024
Date

DocuSigned by:


Ryan Lewis, President
Ontario Fire Management Group

10/01/2024

Date