

1 [Approving Hiring of Displaced Federal Firefighters]

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3 **Resolution approving the hiring of permanent career civilian federal firefighters**
4 **displaced by the closure of the National Park Service Fire Station in the Presidio,**
5 **pursuant to the authority granted by California Government Code Section 53270.**

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7 WHEREAS, California Government Code Section 53270 provides that

8 “[n]otwithstanding any other provision of law, upon approval of its governing body, a local
9 government, including but not limited to, a ... city and county, ... when hiring additional
10 firefighters, may appoint as a member ... any person who meets all of the following criteria:”
11 (1) was serving as a permanent career civilian federal firefighter in good standing at any
12 United States military installation; (2) successfully completed all firefighter training required for
13 employment as a permanent career civilian firefighter; (3) was terminated as a permanent
14 career civilian federal firefighter as a consequence of the closure, downsizing or realignment
15 of a federal military installation; and (4) was terminated not more than 48 months prior to
16 appointment to the local government; and

17 WHEREAS, The California legislature found that hiring of permanent career civilian
18 federal, state and local government firefighters by local governments was a matter of
19 statewide concern, and provided that the appointment authority in Government Code Section
20 53270 would take “precedence over any provision of, or any condition or circumstance arising
21 from a provisions of a charter, ordinance or resolution that governs employment of
22 firefighters;” and

23 WHEREAS, Under Section 53270, to effectuate the purposes of that Section, the
24 California Firefighter Joint Apprenticeship Program administers, prepares and circulates to

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1 local governments a list of permanent career civilian firefighters eligible for appointment under
2 that Section; and

3 WHEREAS, The federal government, National Park Services (NPS), is ceasing to
4 provide fire and emergency medical services in the Presidio of San Francisco (Presidio), and
5 not later than September 30, 2010, will close its fire station in the Presidio. The federal
6 firefighters at the Presidio fire station have been providing fire and emergency medical
7 services to all of the Presidio, including “Area A” under the jurisdiction of the NPS and “Area
8 B” under the jurisdiction of the Presidio Trust (Trust), a wholly-owned United States
9 government corporation; and

10 WHEREAS, The City and County of San Francisco has negotiated agreements with the
11 NPS and the Trust for the San Francisco Fire Department (SFFD) to provide fire, emergency
12 medical and related services in the Presidio; and

13 WHEREAS, Not later than September 30, 2010, all Presidio firefighters will be
14 terminated from their positions as firefighters at the Presidio due to the closure of the Presidio
15 fire station; and

16 WHEREAS, Firefighters at the Presidio Station were notified that if they wished to seek
17 appointment to the SFFD, they could advise SFFD of their interest; and

18 WHEREAS, The SFFD conducted a selection process, including interviews of
19 interested Presidio firefighters, and has selected fifteen permanent career civilian federal
20 firefighters from the Presidio station for appointment, subject to the requirement that the
21 selected firefighters pass SFFD’s minimum hiring qualifications regarding physical and
22 medical requirements, as well as the Candidate Physical Agility Test (CPAT) and a
23 background check; and

24 WHEREAS, All firefighters the SFFD selected meet the criteria for appointment set
25 forth in California Government Code Section 53270; and

1 WHEREAS, All firefighters the SFFD selected for appointment are on the list prepared
2 and circulated by the California Firefighter Joint Apprenticeship Program under Section
3 53270; and

4 WHEREAS, SFFD intends to offer a limited Fire Academy to introduce and orient the
5 federal firefighters selected for appointment to SFFD policies, procedures and practices; and

6 WHEREAS, the San Francisco Fire Department is in need of firefighters; and

7 WHEREAS, San Francisco Firefighters Union Local 798, IAFF, AFL-CIO does not
8 object to the SFFD hiring these fifteen Presidio firefighters; and

9 WHEREAS, On July 19, 2010, the Civil Service Commission approved appointment by
10 the SFFD of fifteen federal firefighters displaced from the Presidio; now, therefore, be it

11 RESOLVED, That the SFFD may appoint fifteen permanent career civilian federal
12 firefighters from the Presidio Fire Service, on the following conditions:

- 13 1. The SFFD must select for appointment Presidio firefighters who are on the list
14 prepared and circulated by the California Firefighter Joint Apprenticeship Program
15 under California Government Code Section 53270;
- 16 2. The SFFD shall hire twelve (12) displaced federal firefighters in the H2 Firefighter
17 classification;
- 18 3. The SFFD shall hire three (3) displaced federal firefighters in the H3, Level II
19 classification;
- 20 4. The SFFD shall appoint the federal firefighters within 48 months after termination
21 from their positions as federal firefighters at the Presidio;
- 22 5. SFFD shall not appointment a federal firefighter under this resolution unless that
23 individual passes SFFD's minimum hiring qualifications regarding physical and
24 medical requirements, as well as the CPAT and a background check; and
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6. All firefighters appointed pursuant to this resolution are subject to the same requirements of any other newly appointed SFFD firefighter, including successful completion of a standard one year probation, subject to all applicable Civil Service Commission Rules.