



File Code: 5170

Date: February 13, 2009

Route To:

Subject: Cooperative Fire Agreements

To: Regional Foresters

A recent review of State and Local Fire Cooperative Agreements shows several issues that I would like to mitigate relating to the mobilization of supplemental fire department resources (qualified incident management resources that are not regular fire department employees). While I support local fire department sponsorship of incident resources, controls and standards are necessary for implementation through our state and/or local Cooperative Fire Agreements to ensure consistency.

Enclosed are documents and templates developed by the interagency fire community to be used with all state or local agreements that include the sponsorship of supplemental fire department resources. For all state or local agreements that include the sponsorship of supplemental fire department resources. The following actions are to be completed by June 1, 2009:

- Modify state or local cooperative fire agreements that include the sponsorship and mobilization of “supplemental fire department resources” with the exhibit language in attachment #1.
- Add the language in Attachment #2 to the Annual Operating Plans utilizing the position matrix from Attachment #3.

Talking points and the National Wildfire Coordinating Group (NWCG) “Agreements with Local Fire Departments” transmittal memo are included for your use in Attachments #4 and #5.

Your Regional Fire Directors, Incident Business Coordinators and Cooperative Fire Specialists have been briefed on this issue. Questions can be directed to Tim Melchert (Timothy Melchert/WO/USDAFS) or Mary Ann Szymoniak (Mary A Szymoniak/WO/USDAFS).

/s/ James E. Hubbard

JAMES E. HUBBARD

Deputy Chief, State and Private Forestry

Enclosures

cc: Tom Harbour. pdl wo spf fam regional fire directors





NATIONAL WILDFIRE COORDINATING GROUP

National Interagency Fire Center
3833 S. Development Avenue
Boise, Idaho 83705

MEMORANDUM

Reference: NWCG#004-2009

To: NWCG Executive Board

From: NWCG Chair *Brian McManis*

Date: February 6, 2009

Subject: Agreements with Local Fire Departments

Several local fire departments have established programs to sign-up qualified resources to be dispatched to incident assignments under agreements between state or local fire departments and Federal partners. A review of these agreements and Annual Operating Plans has shown a variety of pay rates, overhead rates, backfill, and methods of pay (“hours worked” versus “portal to portal”), leaving receiving units unclear as to what they are paying for a resource mobilized from out of their geographic area..

The NWCG and the National Multi-Agency Coordinating Group (NMAC) have determined that wildland fire agencies should continue to allow local Federal land management offices to enter into agreements with local fire departments that include supplemental resources for mobilization. However, we feel that there should be controls on the terms of these agreements to ensure consistency across geographic boundaries. The NWCG tasked the Incident Business Practices Working Team to develop standards and controls for the following:

- Provide definition of supplemental fire department resources so that a consistent application is applied.
- Establish standard rates for supplemental fire department resources, using General Schedule tables with locality pay applied.
- Require supplemental fire department resources to be paid on an as-worked basis; not portal to portal.
- Recommend a standard administrative overhead rate for supplemental fire department resources.
- Develop a process to assure there are no backfill payments for supplemental fire department resources.

- Develop a standard template for local agreements that include supplemental fire department resources.
- Develop standard ROSS and dispatch protocols for management of supplemental fire department resources.

The attached documents and templates have been developed as directed and approved by the NWCG. All agencies are requested to provide direction to the field to implement these required modifications to local and/or state agreements that provide supplemental fire department resources for national mobilization prior to the 2009 western fire season.

Attachments:

- A: Standard language for all state or local agreements that includes national mobilization of supplemental fire department resources.
- B: Annual Operating Plan for the mobilization of supplemental fire department resources.
- C: Talking Points
- D: Classification level matrix of positions to be used when determining pay rates for supplemental fire department resources.

The following must be included in Mutual Aid agreements if the fire district will be providing Supplemental Fire Department Resources outside of their local response area. It will also be included in agreements with State agencies if they are the party responsible for the dispatching and payment of the local resources. Changes cannot be made in these clauses without prior approval by the appropriate agency NWCG representative.

Additions required in the parent document:

The definition of Supplemental Fire Department Resources must be included in the glossary of the parent agreement.

“Supplemental Fire Department Resources - 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 training, meetings, etc. of the department staff.”

Additional section to be included in General Provisions:

“Supplemental Fire Department Resources – There are situations when additional support personnel are necessary for national mobilization and the need can be filled by supplemental personnel available to the fire district. When this situation arises resources will be mobilized via the process outlined in Exhibit xx.”

Exhibit XX

When mobilizing Supplemental Fire Department Resources outside of the fire district or mutual aid zone the following will apply.

Mobilization

Mobilization will follow established ordering procedures as identified in the National, Geographic, and Local Mobilization Guides. Resources will be mobilized from the Host Dispatch Zone in which the department is located. Personnel will be provided a copy of the resource order request after confirmation of availability and prior to departure from their home jurisdiction. Resource orders shall clearly indicate incident assignment, incident location, expected incident arrival time, and any additional special needs or equipment authorizations, e.g. cell phones, laptops, rental vehicles, etc.

Reimbursable Costs

Reimbursable costs for personnel include compensation rates for hours worked, benefits, transportation, and per diem. It is the intent of this provision that the

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Supplemental Fire Department Resource be paid a regular compensation rate for all hours worked plus an overtime compensation rate for actual overtime hours worked, including travel. Reimbursable costs shall not include portal to portal pay or the employee portion of benefits. Travel and per diem reimbursements will be based on the Federal Travel Regulations.

Backfill is not reimbursable for personnel hired as Supplemental Fire Department Resources.

An indirect cost allowance equal to ten percent of the direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) is allowed. (OMB Circular A-87)

Personnel

All personnel will possess an active Incident Qualification System (IQS) or equivalent incident qualification documentation commensurate with all applicable NWCG 310-1 standards for training and qualifications. Personnel will be qualified for their assigned positions. XXFD is responsible for annually certifying and maintaining the qualifications of their Supplemental Fire Department Resources. XXFD will bear the cost of training for their Supplemental Fire Department Resources.

Any personnel to be mobilized under this exhibit will be listed in the Annual Operating Plan (AOP) by name, position(s), and identified as SR. While on assignment, these individuals are **XXFD** employees and the **XXFD** will be reimbursed for their actual costs.

Rate Determination

The basis for the computation of base hourly rate is the classification level of the position filled according to the attached matrix. Base hourly rate shall be no more than step 5 of the appropriate GS wage adjusted for locality pay at the location of the fire district. These rates can be found on the OPM web site <http://www.opm.gov>, Salaries and Wages. Personnel are hired at the rate of the position being filled, not their highest qualification.

The hourly compensation rates identified in the AOP are computed as follows:

1) **Regular Compensation Rate:** The rates listed include base hourly rate determined above plus employee benefits. Employee benefits include only those costs actually incurred by the XXFD for the employment of these individuals, such as employer liability, workers compensation, employer share of social security, etc.

2) **Overtime Compensation Rate:** Overtime compensation rates are paid based on a 7 day work week beginning on day one of mobilization. Compensation rates are paid at time and a half of the base hourly rate for all hours worked in excess of 8 hours per day for the first 5 days and full time and one half for all hours worked during the remainder of the work week. Compensation includes travel time.

3) **Hazard Pay Rate** – Hazard pay differential is paid to those employees performing work that meets the definition of hazardous duty as defined in the Interagency Incident Business Management Handbook, Section 12.9. Compensation rates are paid at 25 percent of the base rate when performing duties that meet the definition of hazardous duties. All hazard pay differential is based on a 24-hour day from 0001-2400 and shall be paid for all hours in pay status during the calendar day in which the hazardous duty is performed.

Days off at Incident

Days off at the incident will be paid for 8 hours. Work/rest guidelines will be followed, and mandatory days off will follow current guidelines (IIBMH 12.7-2 #4) Once travel to the home unit commences days off will not be paid.

Transportation and Per Diem

Per Diem reimbursements will be based on the Federal Travel Regulations. The payment rate for privately-owned vehicles (POVs) and rental vehicles used to support Supplemental Fire Department Resources shall be at the current Federal Travel Regulation rate.

Signature	Date
Agency Administrator	
Federal Agency	

Signature	Date
Fire Chief	
Local Fire Protection District	
Or appropriate Official at State Level	

**20xx Annual Operating Plan
for the
Mobilization of Supplemental Fire Department Resources**

The following personnel of the **XXFD** are designated Supplemental Fire Department Resources. Personnel may be added through an amendment or as a revision to this AOP. While on assignment, these individuals are **XXFD** employees and the **XXFD** will be reimbursed for their actual costs.

The FY 20xx hourly compensation rates for the identified **XXFD** personnel include any applicable pay as follows:

FY20xx Hourly Compensation Rates for Supplemental Fire Department Resources from XXFD:

Personnel	Status	Position Type	Regular Comp. Rate		Overtime Comp. Rate
			Base Hourly	Benefits	
<i>Name</i>	<i>SR</i>	<i>qualification</i>	<i>\$/hr</i>	<i>\$/hr</i>	<i>\$/hr</i>
		<i>qualification</i>	<i>\$/hr</i>	<i>\$/hr</i>	<i>\$/hr</i>
		<i>qualification</i>	<i>\$/hr</i>	<i>\$/hr</i>	<i>\$/hr</i>
<i>Name</i>	<i>SR</i>	<i>qualification</i>	<i>\$/hr</i>	<i>\$/hr</i>	<i>\$/hr</i>
<i>Name</i>	<i>SR</i>	<i>qualification</i>	<i>\$/hr</i>	<i>\$/hr</i>	<i>\$/hr</i>

The regular compensation rates identified above include the following benefits:

- Employer liability at xx%
- Workers compensation at xx%,
- Medicare at xx%,
- Employer Contribution to Social Security at xx

Documentation of benefits included in rates will not be required to be submitted with billing, but should be maintained, and may be requested by the government at any time.

(The above are examples only and the specific benefits for your department may vary but shall be listed)

5170 Cooperative Fire Agreements Attachment #3
 Attachment to Exhibit XX
 Supplemental Fire Department Resource
 Classification Level Matrix

OPM GENERAL SCHEDULE	AREA COMMAND	COMMAND	OPERATIONS	AIR OPS	PLANS	LOGISTICS	FINANCE	SUPPORT
GS-2						RADO		
GS-3			FFT2	ABRO	DPRO	SECG		EDRC
GS-4			FALA FFT1	HECM		EQPI	PTRC	
GS-5		ICT5	ENOP		SCKN	BCMG EQPM INCM ORDM RCDM SECM	CLMS EQTR INJR	
GS-6		ICT4	CRWB DOZB ENGB FALB FELB STAM TRPB WHSP	AOBS DECK HELB RAMP	DOCL FOBS TNSP	COMT		EDSD
GS-7		IOF3	STCR STDZ STEN STLM STPL	HELM SEMG	GISS	CTSP EMTB EMTI		

Positions not included in this matrix must be submitted to the IBPWT for rate determination.

5170 Cooperative Fire Agreements Attachment #3
 Attachment to Exhibit XX
 Supplemental Fire Department Resource
 Classification Level Matrix

OPM GENERAL SCHEDULE	AREA COMMAND	COMMAND	OPERATIONS	AIR OPS	PLANS	LOGISTICS	FINANCE	SUPPORT
GS-8		SOF3	DOZ1	ATBM	DMOB	COML	COMP	EDSP
			TFLD	HEB2	HRSP	FACL	COST	IADP
					RESL	FDUL	TIME	
					SITL	GSUL		
						MEDL		
						SPUL		
GS-9			FALC	HLCO			PROC	
				HEB1				
				SECO				
GS-10		ICT3	DIVS	ASGS	FBAN	EMTP		CORD
			STPS	ATGS	LTAN			INTL
								PETM
GS-11		PIO2	OPBD	AOBD	PSC2	LSC2	FSC2	ARCH
		LOFR	OSC2			SVBD		IBA2
		SOF2				SUBD		MCCO
								PETL
GS-12	ACAC	DICT (T2)	OSC1		PSC1	LSC1	FSC1	IBA1
	ACPC	PIO1						
	ACLC	SOF1						
GS-13	ACDR	DICT (T1)						

Positions not included in this matrix must be submitted to the IBPWT for rate determination.

5170 Cooperative Fire Agreements Attachment #4

TALKING POINTS Supplemental Fire Department Resources

- NWCG recognizes the value of cooperation with fire departments in providing resources for National mobilization.
- This template is intended to apply to national mobilizations and may not apply within local and mutual aid response zones.
- Template language is not intended to affect agreements with regular and volunteer fire department employees.
- The policy will be implemented through Cooperative Fire Protection Agreements at the state or local level.
- The standardized templates will become the standard beginning fire season 2009.
- The intent of the change is to develop consistency in application and allow for full disclosure of rates.
- Goal is to reimburse fire department actual expenses that relate to the mobilization and support of national incident response.
- The standard template is being developed at this time in response to the growing use of Supplemental Fire Department Resources
- This template will be required for national mobilization of Supplemental Fire Department Resources.