

**SIDE LETTER AGREEMENT  
BETWEEN  
LIVERMORE-PLEASANTON FIRE DEPARTMENT JOINT POWERS AUTHORITY  
and  
THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1974,  
AFL-CIO-CLC**

The Livermore-Pleasanton Fire Department Joint Powers Authority (hereinafter referred to as the "JPA"), a joint powers authority whose members include the City of Livermore and the City of Pleasanton, and the International Association of Fire Fighters, Local 1974, AFL-CIO-CLC (hereinafter referred to as the "Union") are parties to a Memorandum of Understanding (MOU) between the Union and JPA from January 1, 2022 through June 30, 2025. Side Letter of Agreement ("Agreement"). This Side Letter Agreement is entered into between the JPA and the Union to modify the MOU and establish the agreed upon promotional requirements for "lateral" employees.

The specific provisions contained in this Agreement are intended to supersede any previous agreements, where oral or written, regarding matters contained in this Agreement. Further, except as provided herein, all other terms and conditions of employment presently enjoyed by the Union in the existing MOU shall remain in full force and effect.

The Parties have satisfied their obligations to meet and are in agreement with the terms and conditions of this Agreement and its implementation. Notwithstanding, any changes and/or revisions to the job description, the meet and confer process remains in accordance with the Meyers-Milias Brown Act ("MMBA").

Effective March 1, 2024, through the term of this MOU, the Parties agree to modify the MOU as set forth below:

**Section 22.1 Length of Probationary Period**

All "entry level" appointments to fire suppression positions shall be tentative and subject to a probationary period of eighteen (18) months actual service.

All "lateral" appointments to fire suppression positions shall be tentative and subject to a probationary period of twelve (12) months. To qualify as a "lateral", the employee must meet the minimum work experience and professional requirements listed in the job description; and possess Firefighter I and Firefighter II Certifications. This reduction in probationary period will only apply to "lateral" employees hired on or after October 1, 2023.

The probationary period for fire prevention personnel shall be twelve (12) months.

Promotional appointments shall be subject to a probationary period of twelve (12) months service time. Personnel who serve in a long-term acting assignment any time during the two (2) years prior to their promotion will receive credit towards the twelve (12) month promotional probationary period for their long-term acting assignments up to a combined maximum of six (6) months. All other provisions of the probationary period will apply.

### **Section 23. Promotion, Demotion and Long-Term Acting Assignments**

#### **A. Promotion**

Promotional or open-promotional examinations may be conducted whenever the Fire Chief determines the needs of the service require. Only employees who meet the requirements set forth in the examination announcements may compete in promotional examinations.

Insofar as consistent with the best interests of the Department as determined by the Fire Chief, vacancies in the Department shall be filled by promotion from within the Department after a promotional examination has been given and a promotional list has been established.

Upon completion of all promotional testing, the names of the persons having the highest three (3) scores on the eligibility list shall be submitted to the Fire Chief for consideration. Promotional examination scores will be calculated to the nearest tenth of a point (example – 95.2 points).

Time in grade requirements for promotion of "entry level" employees will be three (3) years with the Department for Fire Engineer, and five (5) years with the Department for Fire Captain.

Time in grade requirements for promotion of "lateral" employees will be three (3) years of service in Fire Suppression as a full-time, paid member of the Livermore-Pleasanton Fire Department or a municipal, county, or comparable fire agency, of which a minimum of twenty-four (24) months of service is with the Livermore-Pleasanton Fire Department for the position of Fire Engineer, and five (5) years of service in Fire Suppression as a full-time, paid member of the Livermore-Pleasanton Fire Department or a municipal, county, or comparable fire agency, of which a minimum of twenty-four (24) months of service is with the Livermore-Pleasanton Fire Department for the position of Fire Captain.

This reduction in service time for "lateral" employees will apply to all current and future members of the LPPFD. Employees hired prior to adoption of this lateral language may submit a written request to the Fire Chief to be considered for "lateral status" for promotional exams through a review of the employee's prior paid fire service experience, resumé, and education.

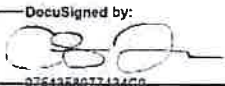
If, in the opinion of the Fire Chief, a vacancy in the Department should be filled by an open-competitive examination instead of a promotional examination, the Fire Chief shall arrange an open-competitive employment list consistent with the Personnel Rules.

**LOCAL 1974, INTERNATIONAL  
ASSOCIATION OF FIREFIGHTERS  
AFL-CIO-CLC**

**LIVERMORE-PLEASANTON FIRE  
DEPARTMENT JOINT POWERS  
AUTHORITY**

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