



ORANGE COUNTY FIRE AUTHORITY AGENDA

Human Resources Committee Regular Meeting

Tuesday, May 3, 2022

12:00 Noon

Regional Fire Operations and Training Center

Board Room

1 Fire Authority Road
Irvine, California 92602

Committee Members

Gene Hernandez, Chair • Joe Kalmick, Vice Chair
Ed Sachs • Noel Hatch • Sandy Rains • Ross Chun • Dave Shawver

This Agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action or discussion shall be taken on any item not appearing on the following Agenda. Unless legally privileged, all supporting documents, including staff reports, and any writings or documents provided to a majority of the Human Resources Committee after the posting of this agenda are available for review at the Orange County Fire Authority Regional Fire Operations & Training Center, 1 Fire Authority Road, Irvine, CA 92602 or you may contact the Clerk of the Authority at (714) 573-6040 Monday through Thursday, and every other Friday from 8 a.m. to 5 p.m. and available online at <http://www.ocfa.org>



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Clerk of the Authority at (714) 573-6040 and identify the need and the requested modification or accommodation. Please notify us as soon as is feasible, however 48 hours prior to the meeting is appreciated to enable the Authority to make reasonable arrangements to assure accessibility to the meeting.

NOTICE REGARDING PUBLIC PARTICIPATION DURING COVID-19 EMERGENCY

This meeting is open to the public. In addition, there are several alternative ways to view and to make comments during the meeting including:

View Meeting On-Line:

You may access the meeting live electronically at: <https://player.cloud.wowza.com/hosted/xvtncikw/player.html>. (Note: you should use one of the other alternatives below if you want to make comments during the meeting.)

Live Public Comments by Zoom: You may also view and make real-time verbal comments during the meeting via the Zoom link below during the meeting. You will be audible during your comments, but the committee members will not be able to see you. To submit a live comment using Zoom, please be prepared to use the “Raise Your Hand” feature when public comment opportunities are invited by the Chair. (You can raise your hand on your smart phone by pressing *9.) Also, members of the public must unmute themselves when prompted upon being recognized by the Chair in order to be heard. (To unmute your smartphone in Zoom, press *6.)

Public Comments via Zoom: <https://zoom.us/j/83264128588#success>

Meeting ID: 832 6412 8588

Passcode: 298121

Raise Your Hand (press *9) and Unmute (press *6)

E-Comments: Alternatively, you may email your written comments to coa@ocfa.org. E-comments will be provided to the committee members upon receipt and will be part of the meeting record as long as they are received during or before the committee takes action on an item. Emails related to an item that are received after the item has been acted upon by the committee will not be considered.

Further instructions on how to provide comments is available at: <https://ocfa.org/PublicComments>.

CALL TO ORDER by Chair Hernandez

PLEDGE OF ALLEGIANCE by Director Rains

ROLL CALL by Clerk of the Authority

PUBLIC COMMENTS

Please refer to instructions on how to submit a public comment during COVID-19 Emergency on Page 1 of this Agenda.

1. PRESENTATIONS

No items.

2. CONSENT CALENDAR

All matters on the consent calendar are considered routine and are to be approved with one motion unless a director or a member of the public requests separate action on a specific item.

A. Minutes for the Human Resources Committee Meetings

Submitted by: Maria D. Huizar, Clerk of the Authority

Recommended Actions:

1. Approve the Minutes for the February 1, 2022, Regular Meeting as submitted.
2. Approve the Minutes for the February 24, 2022, Concurrent Joint Special Meeting as submitted.
3. Approve the Minutes for the March 24, 2022, Concurrent Joint Special Meeting as submitted.
4. Approve the Minutes for the April 14, 2022, Concurrent Joint Special Meeting as submitted.

3. DISCUSSION CALENDAR

A. Professional Standards Unit Update

Submitted by: Lori Zeller, Deputy Chief/Administration & Support Bureau and Stephanie Holloman, Assistant Chief/Human Resources Director

Recommended Action:

Review and file the report.

B. Amendment of Professional Services Agreements for Third Party Workers Compensation Administration

Submitted by: Stephanie Holloman, Assistant Chief/Human Resources Department and Rhonda Haynes, Risk Manager/Human Resources Department

Recommended Action:

Review the proposed agenda item and direct staff to place on the agenda for the Executive Committee meeting of May 26, 2022, with the Human Resources Committee's recommendation as follow: Approve and authorize the Purchasing Manager to amend the two Professional Services Agreements with CorVel to extend the respective term dates for three years plus two optional one-year renewals, and to reflect an increase in annual TPA fees by \$231,798 to a new total not to exceed \$938,048 annually.

COMMENTS

- **HUMAN RESOURCES DIRECTOR'S COMMENTS**
- **COMMITTEE MEMBER COMMENTS**

CLOSED SESSION

The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The Committee finds, based on advice from the General Counsel, that discussion in open session of the following matters will prejudice the position of the Agency:

CS1. CONFERENCE WITH LEGAL COUNSEL – EXPOSURE TO LITIGATION

Pursuant to Government Code section 54956.9(d)(2) and (d)(3) – Five (5) cases

CLOSED SESSION REPORT - The General Counsel will report on any action(s) taken.

ADJOURNMENT – The next regular meeting of the Human Resources Committee is scheduled for Tuesday, August 2, 2022, at 12:00 noon.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury and as required by the State of California, Government Code § 54954.2(a), that the foregoing Agenda was posted in the lobby and front gate public display case of the Orange County Fire Authority, Regional Training and Operations Center, 1 Fire Authority Road, Irvine, CA, not less than 72 hours prior to the meeting.

Maria D. Huizar, CMC
Clerk of the Authority

FUTURE HRC AGENDA ITEMS – THREE-MONTH OUTLOOK:

- Update to Authority Merit and Selection Rules
- Update to Personnel and Salary Resolution
- Girls Empowerment Fire Camp Update
- Background to Diversity, Equity & Inclusion Climate Survey
- Approval of New Classification – Behavioral Health Coordinator

UPCOMING MEETINGS:

Budget & Finance Committee	Wednesday, May 11, 2022, 12 noon
Budget & Finance Committee, Special Meeting	Wednesday, May 18, 2022, 3:00 p.m.
Executive Committee	Thursday, May 26, 2022, 5:30 p.m.
Board of Directors	Thursday, May 26, 2022, 6:00 p.m.
Concurrent Joint Special Meeting of the Board of Directors and all Committees	Thursday, May 26, 2022, 6:00 p.m.
Human Resources Committee	Tuesday, August 2, 2022, 12 noon

MINUTES ORANGE COUNTY FIRE AUTHORITY

Human Resources Committee Regular Meeting
Tuesday, February 1, 2022
12:00 Noon

Regional Fire Operations and Training Center
Board Room
1 Fire Authority Road
Irvine, CA 92602

CALL TO ORDER

A regular meeting of the Human Resources Committee was called to order on Tuesday, February 1, 2022, at 12:01 p.m. by Chair Steggell.

PLEDGE OF ALLEGIANCE

Director Kalmick led the assembly in the Pledge of Allegiance to our Flag.

ROLL CALL

Present: Michele Steggell, La Palma, Chair
Gene Hernandez, Yorba Linda, Vice Chair*
Noel Hatch, Laguna Woods*
Joe Kalmick, Seal Beach*
Sandy Rains, Laguna Niguel*
Ed Sachs, Mission Viejo*

Absent: Ross Chun, Aliso Viejo

Also present were:

Fire Chief Brian Fennessy
Deputy Chief Kenny Dossey
Assistant Chief Stephanie Holloman
Assistant Chief Phil Johnson
Clerk of the Authority Maria D. Huizar
Deputy General Counsel Keith Dobyms

Deputy Chief Lori Zeller
Assistant Chief Robert Cortez
Assistant Chief Lori Smith
Assistant Chief Randy Black
Assistant Chief Jim Ruane

*Human Resources Committee Members participating via Teleconferencing**

PUBLIC COMMENTS (FILE 12.02D3)

Todd Baldrige, President of Firefighters Local 3631, requested to speak on the 2022 Behavioral Health Program Update; addressing the significance of the Behavioral Health Program.

Todd Baldrige, President of Firefighters Local 3631, requested to speak on Agenda Item 2B, the New Classification Specification for Lead Hand Crew Superintendent, asking this item to not be considered at this time.

1. PRESENTATIONS

A. 2022 Behavioral Health Program Update (FILE 18.10M)

Risk Manager Rhonda Haynes presented a PowerPoint presentation update on the 2022 Behavioral Health Program.

B. Firefighter Cancer Awareness and Prevention Month (FILE 18.10L)

Assistant Chief Randy Black introduced the Firefighter Cancer Awareness and Prevention presentation, thanking Firefighters Local 3631 for their collective working relationship on the campaign. He introduced Public Relations Manager Sophia Champieux who presented a video testimony of firefighter Mike Tooley, currently battling cancer. She introduced a new app connected with the website Personal Exposure Reporting Program, for OCFA firefighters to document their on-duty exposure to toxins and carcinogens.

2. CONSENT CALENDAR

On motion of Director Hernandez and second by Director Rains, and following a roll call vote, approved 6-0 agenda items 2A-2B (Director Rains abstained for 2A, Director Chun absent).

A. Minutes for the Human Resources Committee Meetings (FILE 12.02D2)

Action:

1. Approve the Minutes for the November 2, 2021, Regular Meeting as submitted.
2. Approve the Minutes for the November 18, 2021, Concurrent Joint Special Meeting as submitted.
3. Approve the Minutes for the December 16, 2021, Concurrent Joint Special Meeting as submitted.
4. Approve the Minutes for the January 13, 2022, Concurrent Joint Special Meeting as submitted.

B. New Classification Specification for Lead Hand Crew Superintendent (FILE 17.18)

Action: review the proposed agenda item and direct staff to place the item on the agenda for the Executive Committee meeting of February 24, 2022, with the Human Resources Committee's recommendation that the Executive Committee approve the establishment of the new classification and salary range of Lead Hand Crew Superintendent.

3. DISCUSSION CALENDAR

A. State Accreditation of OCFA Firefighter Academy (FILE HR.05.01a)

Assistant Chief Black presented the State Accreditation of OCFA Firefighter Academy.

Brief discussion ensued. Director Hatch asked for the record if there was any opposition to the accreditation program. Assistant Chief Black reported none he was aware of, noting a part of the accreditation process includes an accreditation team with representatives of every department within the OCFA, and including representatives from Local 3631.

On motion of Director Hatch and second by Director Kalmick, and following a roll call vote, approved by 6-0 (Director Chun absent) to review the proposed agenda item and recommend that staff continue pursuing actions to complete the transition of the OCFA Firefighter Academy to an Accredited Local Academy, including proposed program funding for consideration by the Board of Directors during the FY 2022/23 budget development process.

B. Election of Committee Chair and Vice Chair (FILE 12.02D1)

Chair Steggell opened the nominations for Chair of the Human Resources Committee.

Chair Steggell nominated Vice Chair Hernandez, with a second by Director Hatch.

There were no additional nominations.

On the nomination of Vice Chair Hernandez, and following a roll call vote, declared passed 6-0 (Director Chun absent), as Chair of the Human Resources Committee.

Chair Steggell continued the election process, and concluded the meeting.

Chair Steggell opened the nominations for Vice Chair of the Human Resources Committee.

Vice Chair Hernandez nominated Director Kalmick, with a second by Director Hatch.

There were no additional nominations.

On the nomination of Director Kalmick, and following a roll call vote, declared passed 6-0 (Director Chun absent) as Vice Chair of the Human Resources Committee.

COMMENTS

• HUMAN RESOURCES DIRECTOR'S COMMENTS

None.

- **COMMITTEE MEMBER COMMENTS**

The Committee Members offered no comments.

CLOSED SESSION (FILE 11.15)

CS1. CONFERENCE WITH LEGAL COUNSEL – EXPOSURE TO LITIGATION

Pursuant to Government Code section 54956.9(d)(2) and (d)(3) – Three (3) cases.

CLOSED SESSION REPORT

Deputy General Counsel Keith Dobyms stated there was no reportable action.

ADJOURNMENT – Chair Steggell adjourned the meeting at 1:37 p.m. The next regular meeting of the Human Resources Committee is scheduled for Tuesday, May 3, 2022, at 12:00 noon.

Maria D. Huizar, CMC
Clerk of the Authority

MINUTES ORANGE COUNTY FIRE AUTHORITY

**Human Resources Committee
Concurrent Joint Special Meeting
Thursday, February 24, 2022
6:31 p.m.**

**Regional Fire Operations and Training Center
Board Room
1 Fire Authority Road
Irvine, CA 92602**

CALL TO ORDER

A Concurrent Joint Special Meeting of the Orange County Fire Authority Board of Directors, Executive Committee, Budget and Finance Committee, and the Human Resources Committee was called to order on February 24, 2022, at 6:31 p.m. by Board of Directors Chair Michele Steggell.

ROLL CALL

Present:

Joe Kalmick, Seal Beach, Vice Chair
Ross Chun, Aliso Viejo*
Noel Hatch, Laguna Woods*
Sandy Rains, Laguna Niguel
Ed Sachs, Mission Viejo*
Dave Shawver, Stanton

Absent: Gene Hernandez, Yorba Linda, Chair

Also present were:

Fire Chief Brian Fennessy
Assistant Chief Phil Johnson
Assistant Chief Lori Smith
Assistant Chief Jim Ruane
Assistant Chief Stephanie Holloman
Director of Communications Matt Olson

Deputy Chief Lori Zeller
Deputy Chief Kenny Dossey
Assistant Chief Randy Black
General Counsel David Kendig
Clerk of the Authority Maria D. Huizar

Human Resources Committee Members participating via Teleconferencing

PUBLIC COMMENTS

Chair Steggell opened the Public Comments portion of the meeting. Chair Steggell closed the Public Comments portion of the meeting without any comments from the general public.

1. PRESENTATIONS

None.

2. CONSENT CALENDAR

A. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Human Resources Committee (FILE 11.03 and 12.02D2)

General Counsel David Kendig presented the Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Human Resources Committee.

On motion of Director Rains and second by Director Chun, and following a roll call vote, declared passed 6-0 (Director Hernandez absent) to make the following findings:

- a. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic and continues in effect; and
- b. The Committee has reconsidered the circumstances of the state of emergency; and
- c. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

REPORTS

None.

COMMITTEE MEMBER COMMENTS

None.

ADJOURNMENT – Chair Steggell adjourned the Concurrent Joint Meeting at 6:35 p.m. The next regular meeting of the Human Resources Committee is scheduled for Tuesday, May 3, 2022, at 12:00 noon.

Maria D. Huizar, CMC
Clerk of the Authority

MINUTES ORANGE COUNTY FIRE AUTHORITY

**Human Resources Committee
Concurrent Joint Special Meeting
Thursday, March 24, 2022
7:16 p.m.**

**Regional Fire Operations and Training Center
Board Room
1 Fire Authority Road
Irvine, CA 92602**

CALL TO ORDER

A Concurrent Joint Special Meeting of the Orange County Fire Authority Board of Directors, Executive Committee, Budget and Finance Committee, and the Human Resources Committee was called to order on March 24, 2022, at 7:16 p.m. by Board of Directors Chair Steggell.

ROLL CALL

Present:

Joe Kalmick, Seal Beach, Vice Chair
Ross Chun, Aliso Viejo*
Noel Hatch, Laguna Woods*
Ed Sachs, Mission Viejo*
Dave Shawver, Stanton

Absent: Gene Hernandez, Yorba Linda, Chair
Sandy Rains, Laguna Niguel

Also present were:

Fire Chief Brian Fennessy
Assistant Chief TJ McGovern
Assistant Chief Lori Smith
Assistant Chief Jim Ruane
Assistant Chief Stephanie Holloman
Director of Communications Matt Olson

Deputy Chief Lori Zeller
Deputy Chief Kenny Dossey
Assistant Chief Robert Cortez
Assistant Chief Randy Black
Clerk of the Authority Maria D. Huizar
General Counsel David Kendig

Human Resources Committee Members participating via Teleconferencing

PUBLIC COMMENTS

Chair Steggell opened the Public Comments portion of the meeting. Chair Steggell closed the Public Comments portion of the meeting without any comments from the general public.

1. PRESENTATIONS

None.

2. CONSENT CALENDAR

A. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Human Resources Committee (FILE 12.02D2)

General Counsel David Kendig presented the Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings of the Human Resources Committee.

On motion of Director Chun and second by Director Kalmick, and following a roll call vote, declared passed 5-0 (Directors Hernandez and Rains absent) to make the following findings:

- a. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic and continues in effect; and
- b. The Committee has reconsidered the circumstances of the state of emergency; and
- c. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

REPORTS

None.

COMMITTEE MEMBER COMMENTS

None.

ADJOURNMENT – Chair Steggell adjourned the Concurrent Joint Meeting at 7:26 p.m. The next regular meeting of the Human Resources Committee is scheduled for Tuesday, May 3, 2022, at 12:00 noon.

Maria D. Huizar, CMC
Clerk of the Authority

MINUTES ORANGE COUNTY FIRE AUTHORITY

**Human Resources Committee
Concurrent Joint Special Meeting
Thursday, April 14, 2022
6:00 p.m.**

**Regional Fire Operations and Training Center
Board Room
1 Fire Authority Road
Irvine, CA 92602**

CALL TO ORDER

A Concurrent Joint Special Meeting of the Orange County Fire Authority Board of Directors, Executive Committee, Budget and Finance Committee, and the Human Resources Committee was called to order on April 14, 2022, at 6:02 p.m. by Board of Directors Chair Steggell.

ROLL CALL

Present: Gene Hernandez, Yorba Linda, Chair*
Joe Kalmick, Seal Beach, Vice Chair*
Ross Chun, Aliso Viejo*
Sandy Rains, Laguna Niguel*
Dave Shawver, Stanton*

Absent: Noel Hatch, Laguna Woods
Ed Sachs, Mission Viejo

Also present were:

Fire Chief Brian Fennessy
General Counsel David Kendig
Deputy Chief Lori Zeller
Assistant Chief Robert Cortez

Assistant Chief TJ McGovern
Assistant Chief Randy Black
Director of Communications Matt Olson
Clerk of the Authority Maria D. Huizar

PUBLIC COMMENTS

Chair Steggell opened the Public Comments portion of the meeting. Chair Steggell closed the Public Comments portion of the meeting without any comments from the general public.

Human Resources Committee Members participating via Teleconferencing

1. PRESENTATIONS

None.

2. CONSENT CALENDAR

None.

3. DISCUSSION CALENDAR

A. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings (FILE 12.02D2)

General Counsel David Kendig presented the Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings.

On motion of Director Chun and second by Director Rains, and following a roll call vote, approved Option 1 to make the following findings:

- a. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic and continues in effect; and
- b. The Board of Directors and each Committee has reconsidered the circumstances of the emergency; and
- c. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

REPORTS

None.

COMMITTEE MEMBER COMMENTS

None.

ADJOURNMENT – Chair Steggell adjourned the Concurrent Joint Meeting at 6:17 p.m. The next regular meeting of the Human Resources Committee is scheduled for Tuesday, May 3, 2022, at 12:00 noon.

Maria D. Huizar, CMC
Clerk of the Authority



Orange County Fire Authority
AGENDA STAFF REPORT

Human Resources Committee Meeting
May 3, 2022

Agenda Item No. 3A
Discussion Calendar

Professional Standards Unit Update

Contact(s) for Further Information

Lori Zeller, Deputy Chief/
Administration & Support Bureau

lorizeller@ocfa.org

714.573.6020

Stephanie Holloman, Assistant Chief/
Human Resources Director

stephanieholloman@ocfa.org

714.573.6353

Summary

This agenda item is to provide the Human Resources Committee (HRC) with an update on the activities of the Professional Standards Unit.

Prior Board/Committee Action

Since 2016, the HRC has receive regular updates on the activity of the Professional Standards Unit. The HRC last received an update at its regular meeting on May 4, 2021.

RECOMMENDED ACTION(S)

Review and file the report.

Impact to Cities/County

Not applicable

Fiscal Impact

Not applicable.

Background

Formally adopted on October 4, 2016, the mission of the PSU is as follows:

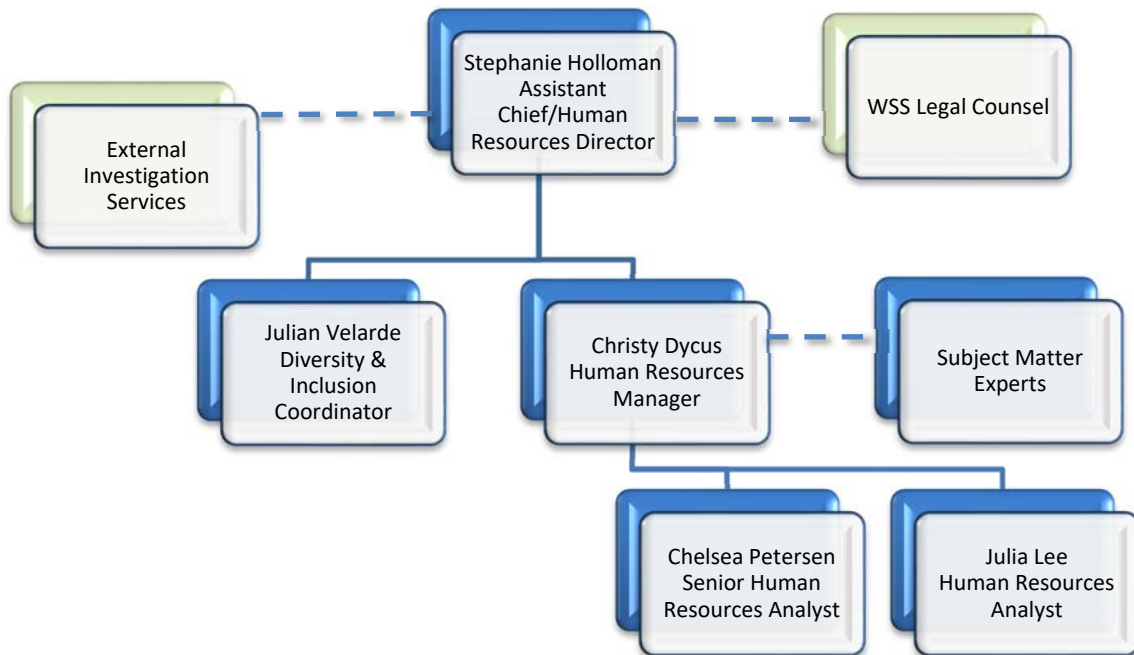
To preserve the trust of our public, our Board of Directors, and our workforce, the Orange County Fire Authority's Professional Standards Unit strives to ensure ethical, effective, and efficient conduct through leadership from all members, trust between management and labor, and accountability by everyone.

The original intent of the PSU was to ensure legally/contractually compliant administrative investigations, timely discipline, and consistency in imposed discipline. Under the umbrella of the Employee Relations Division, the PSU's efforts align with other initiatives that are overseen by the Assistant Chief/Human Resources Director including but not limited to training and professional development, performance management, diversity and inclusion, and policy and process development; all of which support a highly trained, ethical, and effective workforce.

Discussion

Division Overview

The Professional Standards Unit/Employee Relations Division (ERD) of the Human Resources Department, is staffed with three (3) regular positions. In addition, internal subject matter experts, typically at the level of Battalion Chief or higher, external investigators, independent legal counsel, and the new Diversity & Inclusion Coordinator, support the efforts of the permanent team. This internal/external hybrid model increases thoroughness of the investigative process, transparency, removes potential conflicts of interest, and ensures timely resolution of personnel matters.



For each investigation, consideration is given to the rank of the subject employee(s), nature of the alleged misconduct, and potential conflict of interest to identify a Subject Matter Expert with the appropriate rank, experience and availability to work with the Employee Relations Team on an investigation. External investigative services are contracted when the nature and scope of the investigation, and potential risk to the OCFA, requires support from an independent investigator. The Department utilizes the services of multiple firms, each with extensive experience with Police and Fire Service investigations. Having this added resource serves the mission of the unit to conduct timely, compliant, and transparent investigations.

Policy Development

During the past year, the ERD completed its review of the policies listed below. There are no policies scheduled for review in the next twelve months.

- Criminal Records Policy SOP HR 03.05
- Harassment, Discrimination and/or Retaliation Complaint SOP HR 02.06

Also, during the past year, the ERD and the Recruitment Division were key stakeholders in the creation of a Code of Conduct for Academy Recruits and Cadre Instructors for the Firefighter and Fire Apparatus Engineer Academies. The Code of Conduct was adopted as part of the Accredited

Local Academy (ALA) requirements which will be forwarded to the state as part of the ALA accreditation process. It is expected that the OCFA's Training and Operations Division will begin operating under State accredited instruction effective August 1, 2022.

Training and Professional Development

Sexual Harassment and Discrimination Prevention Training - California legislation (SB 1343) enacted in 2018 requires employers with at least five employees or contractors to provide sexual harassment training every two years to all employees. The training must take at least 1 hour for non-supervisory employees and at least 2 hours for supervisory employees to complete. In addition, the new law specified certain content that must be included in the training.

As last reported (May 2021) 584 supervisory/management and 1149 non-supervisory employees have completed the required training. To present an additional 269 supervisory/management have completed the training. A majority of non-supervisory staff are currently on target for the two year training in December 2022.

Pre-Academy Preparation Courses – the ERD continually strives to identify opportunities to prepare prospective Company Officers and Chiefs for success in the recruitment and promotional process. In 2021, ERD developed and presented a Pre-Academy Preparation Series covering foundational supervisory skills on the below topics. These courses continue to be offered as webinars to enhance accessibility to staff and increase their availability to remain at the stations for service calls.

- Leadership 101
- Performance Management 101
- Pre-Discipline 101
- Firefighter Bill of Rights (FBOR) 101
- Progressive Discipline 101
- Leaves and Disabilities 101

In 2023, the ERD will extend their training efforts by revitalizing the pre academy preparation courses listed above to become the standardized 101 courses for all OCFA supervisory staff current and future.

Academy Training – the ERD continues to present a weeklong module of topics as part of the Fire Captain and Fire Battalion Chief Academies. Since May 2021, the ERD has held two Battalion Chief Academies and three Fire Captains Academies. Additionally, two Academy preparatory modules were provided, and an online version made available for as needed use. In 2022, the ERD added a Diversity, Equity, and Inclusion module to the Academy training offerings.

The ERD is working towards creating standardized pre-Academy study materials for both the Fire Captain and Battalion Chief Academies which is to roll out with the first Fire Captain and Battalion Chief Academies of 2023.

Additionally, the ERD is working in conjunction with Emergency Medical Services (EMS) Operations and Training Department to improve the training and development curriculum and rating tools for Firefighter and Fire Apparatus Engineer Academies. These efforts are anticipated to be implemented for Academy 56 in August 2022 for Firefighters and in 2023 for Fire Apparatus

Engineers. Additionally, as part of these efforts, we are jointly revamping the probationary firefighter task book.

Personnel Evaluation Improvement

In July 2020, the Employee Relations Division joined a Joint Labor/Management working group to revamp the OCFA standard Performance Evaluation form and guide for Supervisors and Managers. The two-year-long process will result in enhancements to the evaluation program to increase clarity in rating factors; uniformity in rating standards; and alignment with merit increase provisions. The rating guide will prepare supervisors and managers to conduct annual evaluations that will better inform employees about areas of strength and weakness; facilitating more effective performance management.

The joint labor/management working group has established a new evaluation form, rating factors, rating standards, and a rating scale. Currently in development is the Supervisor Guide and Supervisory Training.

A comprehensive performance management system will be presented to Executive Management in January 2023 for a targeted implementation date of March 2023. The comprehensive performance management system will consist of the finalized evaluation form, rating factors, rating standards, rating scale, merit increase criteria, performance dimensions per classification, supervisor training plan/objectives, training materials, and proposal for procurement of an e-Performance system for Safety employee evaluations. Performance Dimensions will incorporate required training courses that support the development initiatives for Fire Captain and Battalion Chief Academy promotional opportunities and Academy preparedness.

Investigations

Since May 2021, the ERD opened 93 matters of those 65 have been closed to date. The following chart shows the breakdown of new matters that were opened since May 2021, by case type, and the number of cases closed to date. Investigations are conducted in compliance with the Firefighter Bill of Rights, Memorandum of Understanding and other OCFA policies and procedures including notice requirements, hearing and appeals rights, and rights of representation.

	Appeal	Grievance	Discipline/ Investigation	Performance Mgmt	Complaints	Other
New Cases	1	4	14	28	12	34
Closed Cases	1	1	3	23	9	28

This concludes the annual update to the Human Resources Committee.



Orange County Fire Authority
AGENDA STAFF REPORT

Human Resources Committee
May 3, 2022

Agenda Item No. 3B
Discussion Calendar

**Amendment of Professional Services Agreements for
Third Party Workers Compensation Administration**

Contact(s) for Further Information

Stephanie Holloman, Assistant Chief
Human Resources Department

stephanieholloman@ocfa.org

714.573.6353

Rhonda Haynes, Risk Manager
Human Resources Department

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714.573.6833

Summary

This agenda item is submitted for approval to amend the two previously approved Professional Services Agreements with CorVel Corporation (CorVel) for third party administration of the Workers Compensation program to extend the respective term dates for three years plus two optional one-year renewals, and to increase the annual program administration fees by \$231,798 to a new total not to exceed \$934,048 annually.

Prior Board/Committee Action

At its March 27, 2014, meeting, the Executive Committee approved a Professional Services Agreement with CorVel for workers' compensation third party administration (TPA) and managed care (MC) services for an initial term of five years plus three optional one-year renewals.

At its March 24, 2016, meeting, the Executive Committee approved issuing a Professional Services Agreement to CorVel for the administration of Traveler's insurance claims (insurance legacy claims) in an amount not to exceed \$40,000 annually.

At its September 26, 2019, meeting, the Executive Committee approved an increase of \$95,000 annually to the Professional Services Agreement with CorVel for TPA and MC services for the addition of a ninth claims adjuster to serve as the Claims Liaison.

RECOMMENDED ACTION(S)

Review the proposed agenda item and direct staff to place on the agenda for the Executive Committee meeting of May 26, 2022, with the Human Resources Committee's recommendation as follow: Approve and authorize the Purchasing Manager to amend the two Professional Services Agreements with CorVel to extend the respective term dates for three years plus two optional one-year renewals, and to reflect an increase in annual TPA fees by \$231,798 to a new total not to exceed \$938,048 annually.

Impact to Cities/County

Not Applicable.

Fiscal Impact

Funding for the workers' compensation program is currently funded at the base price of the original contract, in the proposed FY 2022/23 General Fund Budget, specifically in the Human Resources budget for services and supplies. This funding does not include the increase. Staff will monitor the overall HR budget to identify savings in other line items that may offset the cost. If there are costs that cannot be absorbed by saving in other areas, staff will need to request a mid-year budget adjustment.

Background

Contract Award

On April 29, 2013 staff issued RFP DC1857 for third party workers compensation administration and managed care services and received twelve responsive proposals. Pricing was evaluated using actual claims data from the prior year and all calculations were confirmed by OCFA's independent auditors, Lance, Soll & Lunghard, LLC. The two highest-ranked firms were invited to participate in an interview. Upon completion of the interviews, CorVel emerged as the top-ranked firm. A best and final offer was requested from CorVel resulting in a savings of \$18,282 during the initial contract term.

Additionally, on December 17, 2013 staff issued RFP DC1898 for the administration of legacy claims dating prior to 2002 when OCFA was insured for Workers Compensation through Travelers Insurance. This RFP was sent to the then six partner-firms of Travelers, which did not include CorVel, and a Professional Services Agreement was issued to Cannon Cochran Management services, Inc. (CCMSI). In 2016 CCMSI declined to extend their Professional Services Agreement and because CorVel had since become a partner-firm of Travelers, the Executive Committee approved issuing an agreement to CorVel for these services in an amount not to exceed \$40,000 annually.

Program Functionality

Workers' Compensation Third Party Administration and Managed Care Services

The OCFA transitioned to a self-insured third party administered workers' compensation program in March 2002. The third-party administration (TPA) of the program consists of claims administration, utilization review, bill review, and nurse case management and medical provider network. Services will be based on the cost list provided in the amended contract and the total cost of these services will be based on actual claims activity and bill volume. The functional mechanism by which these services are paid for utilizes two blanket orders; one for the annual administration fees, and one for managed care services which includes funding sufficient to cover all benefits and employee claim payments.

CorVel was administering 775 claims at the inception of the contract and there are currently 1375 open claims. The increase in claims volume is due to the addition of more employees, COVID 19, increased overtime, aging workforce, workers' compensation legislation statute of limitations for filing cancer claims, and an increase in presumptive claims. In 2019, a claims liaison position was added to our claims team to support our workers' compensation program. This helps to ensure compliance with the workers' compensation laws, reduced open claims, and a high level of customer service for our personnel. Good customer service and frequent communication is a key factor in maintaining our low litigation rate. The costs associated with the additional claims team member is \$95,000 annually.

Legacy Claims

The insurance legacy claims originated from 1998-2000 when the OCFA carried high deductible insurance through Travelers. On-going claims costs are paid through the insurance policy with the OCFA only paying for the administration fees of the open claims. These claims cannot be

handled through OCFA's self-insured program and require a separate claims team as approved by Travelers. There were 39 open claims when CorVel began administration of the insurance legacy claims and they have closed 66.7% of these claims. Based upon the current number of open claims and the proposed annual administration fees, OCFA estimates an annual cost of \$11,388 for these pre-2002 Travelers claims.

Current Request

Risk Management conducted a survey of our member cities to inquire how long they have been with their current TPA and the length of their workers' compensation contract. We spoke with 15 of our 23 partner Cities and learned that on average, the agencies have maintained a relationship with their current TPA for 13 years, with contracts renewing on a 3-year basis. Two thirds of the responding Cities have maintained their TPA relationship for over 10 years. This information proves it is common to have long TPA relationships, particularly due to the transition process being quite disruptive. Additionally, the state of the market, inflation, and the impact COVID had on staffing have impacted the ability of third party workers compensation administration firms to hire competent claims professionals as many have left the field.

CorVel has been a partner with OCFA since the inception of the OCFA's self-insured workers' compensation program and has worked closely with the OCFA to design and customize a program that expedites benefits and continuity of service for our injured workers, including administering our ADR program. CorVel has provided excellent services over the past eight years and maintained relationships with Local 3631 and other staff members, ensuring all of the needs and services within the scope of the program are met. In addition to developing a Liaison position to personalize the service needs of our employees. OCFA regularly solicits feedback from employees going through the workers' compensation process to gauge satisfaction with the level of service. The feedback received has been largely positive informing us that CorVel is performing well for the OCFA.

CorVel has agreed to maintain the current high level of service at a flat annual administration fee for the initial three-year renewal term. The flat annual administration fee is \$839,048 which represent a 19.5% increase over the current annual administration fees. Risk Management feels this is reasonable considering the status of the current market where cost increase is up 30% based on the current inflation rates and anticipates issuing a Request for Proposals during the second year of the initial three-year renewal term.

Therefore, based on the excellent quality of service provided by CorVel, including its commitment to fixed pricing for the initial renewal term, Risk Management recommends approval and authorization for the Purchasing Manager to amend the previously approved Professional Services Agreements with CorVel as stated in the Recommended Action.

Attachment(s)

None.