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### HEALTH AND SAFETY CODE - HSC

**DIVISION 12. FIRES AND FIRE PROTECTION [13000 - 14959]** ( *Division 12 enacted by Stats. 1939, Ch. 60.* )

**PART 2.7. FIRE PROTECTION DISTRICT LAW OF 1987 [13800 - 13970]** ( *Heading of Part 2.7 renumbered from Part 3 (as added by Stats. 1987, Ch. 1013) by Stats. 1989, Ch. 1360, Sec. 91.* )

**CHAPTER 11. Employee Relations [13960 - 13970]** ( *Chapter 11 added by Stats. 1987, Ch. 1013, Sec. 11.* )

**13960.** (a) The Meyers-Milias-Brown Act, Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code applies to all fire protection districts.

(b) Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code applies to all fire protection districts.

(*Added by Stats. 1987, Ch. 1013, Sec. 11.*)

**13961.** (a) A district board may adopt an ordinance establishing an employee relations system.

(b) "Employee relations system" as used in this chapter means a civil service system or a merit system.

(*Added by Stats. 1987, Ch. 1013, Sec. 11.*)

**13962.** (a) Upon receipt of a petition proposing an employee relations system for employees of the district, signed by at least 10 percent of the registered voters of the district, the district board shall either adopt an ordinance providing for the employee relations system, or adopt an ordinance subject to the approval of the voters of the district.

(b) District employees may circulate the petitions described in subdivision (a) at any time when they are not on duty.

(c) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of election and ballot shall contain a statement of the question.

(d) The question placed before the voters shall call for a "Yes" or "No" vote and shall be in substantially the following form:

"Shall the ordinance of the Board of Directors of the \_\_\_\_\_ (name of the district), adopting an employee relations system for the employees of the district, be approved?"

(e) If a majority of the voters voting on the question approve of the question, the ordinance shall go into effect.

(*Amended by Stats. 2006, Ch. 588, Sec. 15. Effective January 1, 2007.*)

**13963.** When more than one district is governed by the same board of directors, the district board may do all of the following:

(a) Adopt the same set of employee relations rules, regulations, and procedures for any or all districts.

(b) Authorize one examination for any or all districts for each classification of employment, establish one eligibility list, permit qualified candidates to transfer from one district to another, and allow requested changes in assignment.

(c) Adopt one seniority list to be used in the layoff of all employees of any or all districts. Persons laid off due to lack of work shall be eligible for reemployment and shall be reemployed in preference to the employment of new applicants. The district board may set a time limit on the use of this seniority list.

(*Added by Stats. 1987, Ch. 1013, Sec. 11.*)

**13964.** If a county board of supervisors has appointed itself as the district board, it may change to district status any employee of a county fire warden department and the status of any district employee may be changed to that of a county employee, subject to charter provisions relating to employee relations, and the rules, regulations, and procedures of the employee relations system of the employer county.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13965.** If the civil service commission or body performing employee relations functions for a district finds that a person has been employed by a city or another district which has, or any portion of which has, been annexed to, included within, or contracts with, the district for all fire protection, rescue, or emergency medical services, in a position classification the duties of which and qualifications for which are substantially the same as those of any position classification in the district, at the request of the district board, the civil service commission or other body may certify, without examination, that person as eligible to hold that district position classification or any lower position classification for which the person is qualified and which would not result in a lower level of salary than was received by the person immediately before the annexation, inclusion, or contract. If a person is employed by the district after certification without examination by the civil service commission or other body because of his or her employment in a position classification of similar duties by a city or district, all time employed in that city or district shall be considered as time employed by the district, to determine seniority rights and salary rates.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13966.** (a) In the case of a district where the Board of Supervisors of the County of Santa Clara has appointed itself as the district board of a district, the district board may call an election to be held in the district for the purpose of submitting to the voters of the district the question of whether the district board may provide for a system of binding arbitration for the resolution of impasses in employer-employee relations.

(b) Where the district has created service zones, the election specified in subdivision (a) shall be held only in those zones in which the district provides direct fire protection and not in those zones in which fire protection is provided by contract with other agencies.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13967.** A district board may require any employee of the district to be bonded. The district shall pay the cost of the bonds.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13968.** A district board may provide for any programs for the benefits of its employees or members of the district board, pursuant to Chapter 2 (commencing with Section 53200) of Part 1 of Division 2 of Title 5 of the Government Code.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13969.** A district board shall train all employees of the district who are expected to provide services pursuant to Section 13862, except those whose duties are primarily clerical or administrative, to administer first aid and cardiopulmonary resuscitation, as required pursuant to Section 1797.182. A district board may provide any other training programs for its employees.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*

**13970.** A fire protection district shall be considered a "fire district" to grant leaves of absence in lieu of temporary disability payments pursuant to Article 7 (commencing with Section 4850) of Chapter 2 of Part 2 of Division 4 of the Labor Code.

*(Added by Stats. 1987, Ch. 1013, Sec. 11.)*