

NORTH COUNTY REGIONAL FIRE AUTHORITY

RESOLUTION NO. 01222025-01

REGARDING PAYROLL CORRECTIONS

WHEREAS, North County Regional Fire Authority (the “RFA”) is committed to ensuring that its members are correctly compensated as required by the collective bargaining agreement and applicable laws;

WHEREAS, in 2024, RFA staff first identified certain payroll issues involving overtime compensation that may require correction for certain members during work periods in which their hours exceeded the applicable FLSA threshold; and

WHEREAS, upon first identifying the issue, the RFA notified IAFF Local 3438 (the “Union”) that it would be undertaking a detailed analysis in the interest of making corrections where appropriate; and

WHEREAS, in an effort to avoid any future underpayment while the RFA developed processes to ensure accurate payment on a prospective basis, the RFA notified the Local that it would be paying overtime at the FLSA required rate while reserving the right to seek reimbursement once the analysis were completed; and

WHEREAS, to ensure accuracy in determining the appropriate compensation due each member, the RFA retained an independent consultant; and

WHEREAS, the RFA has since identified or been notified by individual members of other potential issues apart from overtime pay which may need to be corrected; and

WHEREAS, the Commission finds that it is in the interest of both the RFA and its members to prioritize accuracy over a hasty resolution; and

WHEREAS, the Commission is desirous of correcting errors from August 1, 2021 to the present (the “Correction Period”), even though certain claims during that period may be time-barred; and

WHEREAS, to ensure finality to this process, the Commission is interested in establishing a fixed date of June 30, 2025 (“Review Request Deadline”) for members to review their payroll records and to notify the RFA of any potential payroll discrepancies;

WHEREAS, correcting errors that are time-barred would constitute a gift of public funds in the absence of consideration (e.g. a settlement agreement).

NOW, THEREFORE, the Commission resolves as follows:

1. Staff are directed to continue their efforts to identify and quantify potential payroll

errors which may have occurred during the Correction Period and that have either (i) been identified by the RFA or (ii) about which the Union or individual members notify the RFA in writing by the Review Request Deadline.

2. The Fire Chief is directed to promptly approve payment to affected employees for any payroll underpayment errors that occurred for the period of August 1, 2021 through the Review Request Deadline, provided the employee and the Union execute a settlement agreement in a form acceptable to the RFA which contains a release of claims.
3. The Governing Board further directs the Fire Chief to limit payment of underpayments to affected employees to only the period of payroll underpayment required by applicable statutes when no settlement agreement has been executed.

ADOPTED at a regular meeting of the Board of Commissioners of North County Regional Fire Authority on this 22nd day of January, 2025; the following Commissioners being present and voting:

NORTH COUNTY REGIONAL FIRE AUTHORITY

DocuSigned by:

Ric Cade

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Commissioner Ric Cade

Signed by:

Rob Johnson

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Commissioner Rob Johnson

Signed by:

Leonard Kelley

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Commissioner Leonard Kelley

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Greg Oakes

F493DE389799431...

Commissioner Greg Oakes

DocuSigned by:

Marilyn Oertle

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Commissioner Marilyn Oertle

Signed by:

Al Schreiber

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Commissioner Al Schreiber

Signed by:


Holly Sloan-Buchanan

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Commissioner Holly Sloan-Buchanan

Attest:

North County Regional Fire Authority

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Kari Wheeler, Board Secretary

CERTIFICATION

I, the undersigned, Secretary of the North County Regional Fire Authority (the "NCRFA"), hereby certify as follows:

1. The attached copy of Resolution No. **01222025-01** (the "Resolution") is a full, true, and correct copy of the Resolution duly adopted at a regularly scheduled meeting of the Board of North County Regional Fire Authority (the "Board") held on January 22nd, 2025, as the Resolution appears on the minute books of the NCRFA and the Resolution is now in full force and effect.
2. A quorum of the Board was present throughout the meeting and a majority of those members on the Board present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of January, 2025.

DocuSigned by:

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Kari Wheeler, Board Secretary
North County Regional Fire Authority