

WINTER 2019

The COMMUNIQUE

A Publication of the Oregon Fire District Directors Association



The Oregon Fire Mutual
Aid System Responds to
California Wildfires

*District of the Year:
Sweet Home
Fire and Ambulance*

Preventing Workplace
Harassment under
Senate Bill 479

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A Publication of the Oregon Fire District Directors Association

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MISSION

To serve and strengthen through the provision and coordination of timely information, education, and legislation.

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PRESIDENT'S MESSAGE

I want to take this opportunity to wish everyone a great holiday season. It's that time of the year to spend time with family and friends and to give back to our communities.

I want to thank everyone who participated in our fundraiser, especially to our staff who gave up a day off to make it a success. We were able to raise \$4,400.00 for the Bruce Williams Scholarship Fund, which enabled us to give five scholarships for conference registrations; another five were given from OFDDA. Next year we will do our fundraiser a little differently. We will have another three vacation choices and will sell tickets with the drawing to be held at conference. More information later.

Congratulations to Ginae Boshart, who won the eight-night vacation drawing. Ginae was involved with the sleeper program at Tangent Fire after graduating from high school. Her husband has served as a volunteer firefighter and is currently a Linn County Sheriff's Deputy.

Thanks also to all who attended our 70th annual conference in Seaside. We have been receiving a lot of positive feedback about the facility and the quality of our presenters. Also, this year was the first year that we presented the Innovative Safety Award. The winner was Lt. Brice Walters from Tangent Fire. He won for his efforts in establishing the Pulse Point Cardiac Alert System in Linn and Benton counties. He worked with a variety of civic groups, Linn and Benton Counties' Fire Defense Board, Linn County Sheriff, and 911 to raise over \$30,000 to implement the program.

The District of the Year Award went to Sweet Home Fire and Ambulance for their many accomplishments, including receipt of a SAFER grant, increased operational efficiency, and training and infrastructure improvements. Congratulations! Keep in mind nominees for next year's awards. It is a great way to recognize excellence in our departments.

It was my pleasure to present the President's Award to Laureal Williams for her continued support and dedication to the Fire Service for nearly two decades. Currently, Laureal administers LOSAP, provides pro bono bookkeeping for the Fire Service Museum, and brightens the day of those who call the OFDDA office.

Next year our goal is to complete our accreditation program in partnership with SDAO. This program will provide the opportunity for district directors to learn about the responsibilities they undertake as board members and give them the knowledge to help them better serve their districts.

by John Dunn OFDDA President



The Oregon Fire Mutual Aid System Responds to California's Fall Wildfires

by the Office of State Fire Marshal

By the morning of October 26, the Kincade Fire in Sonoma County, California, had consumed more than 30 square miles and destroyed an estimated 77 structures in just over 48 hours. Oregon Chief Deputy State Fire Marshal Mariana Ruiz-Temple received the first call from the California Office of Emergency Services around 10 a.m., asking what resources Oregon might be able to provide.

The Office of State Fire Marshal (OSFM) reached out to the Fire Defense Board

Chiefs around the state to ask what each could mobilize to California through the Emergency Management Assistance Compact (EMAC). By the time the official request for 15 strike teams was received around 5 p.m., the Agency Operations Center had already identified 20 available strike teams.

The following morning, 264 members from 68 Oregon fire agencies mobilized in 92 apparatus on their way to the incident. These resources made up 15 strike teams



*The Kincade fire
had destroyed an
estimated 77
structures in just
over 48 hours.*

264 members from 68 Oregon fire agencies mobilized in 92 apparatus, making up 15 strike teams of engines.



of engines, along with two Agency Representatives, Chief Ruiz-Temple and Chief Les Hallman from Tualatin Valley Fire & Rescue. Not long after mobilizing, Chief Ruiz-Temple and six strike teams were diverted to an emerging fire (the Burris Fire) in Mendocino County.

By October 30, the Burris Fire was controlled to the point where all Oregon resources continued their original mission to the Kincade Fire. That incident had led to evacuation notices affecting more than 180,000 residents and had grown to 77,800 acres.

Demobilization and return to the state began on November 2, with all resources either on their way home or moved to a third fire—the Ranch Fire in Tehama County—by November 4. Seven Oregon strike teams and Chief Ruiz-Temple responded to the Ranch Fire. On the evening of November 9, a full 14 days after the initial notification from California, all Oregon resources were back in service at their home agencies.

This latest response, like the four EMAC missions to California in 2017 and 2018, is a testament to the strength of the Oregon Fire Mutual Aid System (OFMAS). The OSFM was prepared to facilitate a request, the Fire Defense Board Chiefs were prepared to determine resource availability, and the fire service was prepared to respond out of state for an indeterminate amount of time into an area with no power. The fire service was further prepared to submit the required paperwork in a timely fashion to implement the EMAC system.

At all levels, the OFMAS operated quickly and efficiently to respond in a time of need. The OSFM wants to thank all parties involved in the response: from cities and boards allowing their personnel to participate, to the individual firefighting personnel who put their lives on hold to help our neighbors. The more opportunities we have to exercise the OFMAS in Oregon and through the EMAC, the stronger we become.



Preventing Workplace Harassment under Senate Bill 479

THE LEGAL BEAGLE
by Dan Lawler
Local Government Law Group



The Oregon Legislature took significant steps to prevent workplace harassment and discrimination during the 2019 Legislative Session. With the passage of SB 479, all employers in the State will need to implement a variety of changes to the ways they address harassment, including adopting specific anti-harassment policies, updating internal investigation procedures, and restricting the use of non-disclosure provisions in employment agreements. The bill also extends the period of time for a harassment victim to file an internal complaint, external complaint with the Bureau of Labor and Industries (BOLI), or legal action from one year to five years. The following paragraphs provide more details about what SB 479 regulates and how employers can comply with the bill's requirements.

What is Workplace Harassment?

The bill defines “workplace harassment” as “conduct that constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault or that constitutes conduct prohibited by ORS 659A.082 or 659A.112.” Here’s a breakdown of what that means:

- ♦ ORS 659A.030 prohibits discrimination based on an individual’s *race, color, religion, sex, sexual orientation, national origin, marital status, or age*.
- ♦ SB 479 defines “sexual assault” as “*unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.*”
- ♦ ORS 659A.082 prohibits discrimination based on an individual’s *military service*.
- ♦ ORS 659A.112 prohibits discrimination based on an individual’s *disability*.
- ♦ Retaliation against an individual for reporting any of the types of harassment listed above also constitutes “workplace harassment” under SB 479.



Employers should include a similar breakdown of “workplace harassment” in their anti-harassment policies to ensure that employees are aware of the specific types of conduct that the policies prohibit.

Workplace Harassment Policies (Effective 1/1/20)

SB 479 requires employers to adopt a written policy seeking to prevent workplace harassment that occurs both on and off of the employment premises. Employers must provide a copy of the policy to each employee and include a copy in orientation materials for new hires. Employers must also provide a copy of the policy to employees that disclose concerns about workplace harassment at the time of the disclosure. The bill requires the anti-harassment policy to include the following information:

- ♦ A statement prohibiting workplace harassment;
- ♦ A statement that a person who reports workplace harassment has the right to be protected from retaliation;
- ♦ A statement of the scope of the policy, including that the policy applies to elected public officials, volunteers, and interns;
- ♦ An explanation that a victim of workplace harassment may voluntarily disclose information regarding an incident of workplace harassment involving him or herself;
- ♦ A statement that an employer may not require or coerce an employee to enter into a nondisclosure or non-disparagement agreement, *including a description of the meaning of those terms*;
 - ⇒ Nondisclosure and non-disparagement agreements generally **have the purpose or effect of preventing employees from disclosing or discussing workplace harassment.**



- ♦ An explanation that an employee claiming to be aggrieved by workplace harassment may voluntarily request to enter into an agreement containing non-disclosure or non-disparagement provisions *if* the employer provides the employee with seven days to revoke the agreement; and
- ♦ A statement advising employers and employees to document incidents of workplace harassment.

SB 479 also requires anti-harassment policies to explain that a victim of workplace harassment may seek correction of the violation through:

- 1) the employer's internal procedures;
- 2) through the BOLI complaint process; or
- 3) through a criminal or civil action.

This explanation must include:

- ♦ The timeline for a victim to seek relief.
 - ⇒ SB 479 provides victims with **five years** to pursue any of the avenues of redress listed above.
- ♦ Any available administrative or judicial remedies.
 - ⇒ BOLI administrative remedies under ORS 659A.840 and 659A.855 include **enforceable settlement agreements, cease and desist orders, and imposition of civil penalties on the harasser.**
 - ⇒ Judicial remedies under ORS 659A.885 include **injunctive relief, equitable relief as the court deems appropriate, compensatory or punitive damages, and imposition of civil penalties on the harasser.**
- ♦ The advance notice of claim against a public body required under ORS 30.275.
 - ⇒ The claimant must provide at least **180 days' advance notice** of a claim against a public body.

Continued on page 8.

Internal Investigation Procedures *(Effective 1/1/20)*

The bill directs employers to develop “written policies and procedures for the prompt investigation of a report of workplace harassment.” Employers should include these investigation procedures within the anti-harassment policy discussed above. The investigation policies and procedures must:

- ♦ Provide instruction for maintaining records of workplace harassment;
- ♦ Establish a process for a victim of workplace harassment to file a complaint within five years of the alleged harassment event;
- ♦ Designate the individual, and his or her alternate, responsible for receiving reports of workplace harassment;
- ♦ Require the employer to follow up with victims of alleged workplace harassment once every three months for the calendar year following receipt of a complaint of harassment to determine whether harassment stopped or if the victim experienced retaliation;
- ♦ Inform the victim that he or she may waive the three-month follow up described above by written objection.



Agreements with Nondisclosure or Non-disparagement Provisions *(Effective 10/1/20)*

SB 479 establishes restrictions on agreements that include nondisclosure, non-disparagement, and no-rehire provisions and makes it an unlawful employment practice to violate these restrictions. The bill prohibits employers from requiring employees claiming to be aggrieved by workplace harassment to enter into agreements with nondisclosure, non-disparagement, no-rehire, or other provisions with the purpose or effect of preventing employees from discussing workplace harassment. However, these types of agreements are allowed if an employee requests one *and* if the agreement provides the employee with the option to revoke within seven days of execution.

The bill establishes different standards for use of nondisclosure, non-disparagement, and no-rehire provisions if the agreement is with an alleged violator of the harassment policy, rather than the victim. In that case, the employer can enter into settlement, separation, or severance agreements containing these provisions if he or she makes a good faith determination that the employee engaged in workplace harassment. Employers can propose these agreements to harassers regardless of whether the employee requests one and without providing a seven-day revocation period.

Mark your calendars!



- ♦ The 2020 Oregon Fire Service Conference will be held October 21-24.
- ♦ This year's conference will take place at the Salem Convention Center & Grand Hotel, located in downtown Salem just off I-5.
- ♦ We look forward to seeing you there!

*Ready to make your reservation?
Call (503) 540-7800 to book your room.*

Congratulations to Our 2019 Award Recipients!

District of the Year—Sweet Home Fire & Ambulance District
Innovative Safety Award—Lt. Brice Walters, Tangent Fire District
President's Award—Laureal Williams, LOSAP Administration Staff

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Those Who Serve Their Professions

by Oregon State Fire Marshal Jim Walker



Last month I had the honor of attending the annual conference of the Oregon Fire District Directors Association in Seaside on a beautiful fall day.

The organization, which works to improve the operations of fire districts in Oregon, elected its new board as part of its annual meeting, and I had the privilege of swearing in those new members. These volunteers step forward to lead and serve their organization.

As board members, they oversee budgets, set strategy, set policy, and ensure the group supports its members' interest. Collectively as a group, these volunteers play an important role supporting the Oregon fire service. They deserve more credit than they are often given for improving the well-being of their professional group and our communities.

More than 100 Oregonians volunteered countless hours as members and contributors to the Governor's Wildfire.

In October, I also was privileged to swear in the incoming officers of the Oregon Fire Service Office Administrators (OFSOA) at the group's annual Fall Conference held in Tigard. Any leader will readily share that they can never do it alone, and that a strong team behind them helps them succeed and lead. The OFSOA is committed to the fire service by increasing the capacity of key staff that helps all of our agencies serve our residents.

It has also been a privilege to work with the Oregon Fire Chiefs Association, Oregon Fire Marshals Association, and Oregon Volunteer Firefighters Association boards and seeing the great work and commitment they have for these organizations.

Attending events like these conferences and conducting the swearing-in ceremonies for the dedicated professionals and volunteers remains one of my greatest pleasures as State Fire Marshal.

Speaking of volunteers, for the past nine months, more than 100 Oregonians volunteered countless hours as members and contributors to the Governor's Wildfire.

Response Council. Leaders and participants from forestry, agriculture, and conservation interests contributed their time. The council also worked with tribal groups, members of the Oregon fire service, Oregon communities, health specialists, academic experts, insurers, power utilities, and others. All contributed to the council's 110-page final report submitted last month to Gov. Kate Brown.

Those who supported this statewide effort and who lead our professional organizations receive no monetary rewards for their time and expertise. They serve because they believe in the vision, goals, and mission of their organizations and share a passion for fire prevention, fire safety, and the state's best interest.

*They serve because they believe in the vision, goals, and mission of their organizations and share a passion for fire prevention, fire safety, and the **state's best interest.***

The frequently used saying that “we are what we repeatedly do” is embodied through the many examples of service from all of these Oregonians, alongside whom I am honored to work.

To the state's professional groups who are committed year-round to their profession and to our residents who support the collective efforts to address the new wildfire reality impacting our communities statewide, thanks for all you do.

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Expanded SDAO Programs and Resources



SDAO Academy

Succession planning and preparing special district employees to take on management roles is becoming increasingly important as many managers begin to retire. To help your district better prepare for the future of these leadership positions, we have developed a professional development program designed specifically for special district employees.

The SDAO Academy offers current, in-depth training and education opportunities in three specialty areas: district management, human resources and personnel management, and risk management and operations. Knowledge and skills in these subjects are critical elements for success as a leader at a special district.

Program completion is based on receiving 100 credits of training. Once enrolled, SDAO Academy participants will have three years to complete the program.

Costs associated with attending trainings are the responsibility of the district; however, enrollment in the SDAO Academy is free of charge. We encourage you to learn more about the program and reach out to us with any questions at memberservices@sdao.com or 800-285-5461.

For more information and to download an enrollment form, visit www.sdao.com/s4/programs/sdao-academy.aspx.

Coming Soon: Board Member Academy

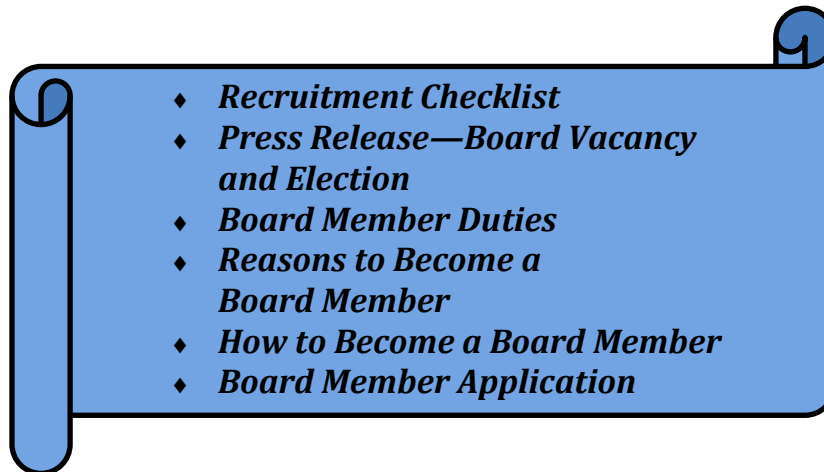
In 2020, SDAO and OFDDA will work together to create a board member training academy tailored to fire district board members. This program will ensure that board



members receive the necessary training to serve on their fire board. Like the SDAO Academy, individuals who complete this training will receive a certificate of completion and a spotlight on SDAO's social media. They will also be recognized at both the SDAO and OFDDA Annual Conferences.

Board Member Recruitment Toolkit

In order to help districts recruit new board members, we have put together the SDAO Board Member Recruitment Toolkit. This toolkit is designed to assist you in the recruitment of board members for open board positions or to fill vacancies. We have included the following sample resources:



These materials have been created in Microsoft Word and can be downloaded from our website at www.sdao.com/s4/resources/board-toolkit.aspx. You can personalize these samples by inserting your district name, logo, or letterhead and filling in the information pertinent to your district within the body of the text. Also included are materials for board member orientation. After an individual is selected or elected, you can use these resources to introduce them to the district and their new role.

Special District Fact Sheets

Our new special district fact sheets can be used with the Board Member Recruitment Toolkit or on their own for general marketing purposes. Fact sheets are available for 16 of our special district types and can be downloaded from our website at www.sdao.com/s4/resources/fact-sheets.aspx. We will continue to work on developing more fact sheets with the goal of each member type being represented.

SDAO Annual Conference

The 2020 SDAO Annual Conference will be held February 6th-9th in Seaside at the Seaside Civic and Convention Center. Our conference offers over 20 educational sessions and multiple opportunities for interacting with your colleagues through business meetings, caucus meetings, and social activities. For more information and to register, visit <http://www.cvent.com/d/chqzr1>.

Sweet Home Fire and Ambulance Recognized at Linn County Fire Defense Board Meeting

by Genoa Ingram, OFDDA Executive Director



President John Dunn presented the District of the Year Award to Chief Dave Barringer, who accepted on behalf of Sweet Home Fire and Ambulance.

OFDDA President John Dunn presented the OFDDA District of the Year Award to the Sweet Home Fire and Ambulance District at the December 5 meeting of the Linn County Fire Defense Board. Chief Dave Barringer accepted the award on behalf of his District.

The District of the Year Award recognizes districts as a means of sharing innovative ideas and to recognize those who have demonstrated progressive achievements. Retired Tangent Fire Chief Scott Casebolt submitted the nomination, citing Chief Barringer's leadership in achieving a sound financial future, including the passage of a \$1.575 million general obligation bond, a SAFER grant award of

\$339,000, and increased operational efficiencies. Through these achievements, along with training and infrastructural improvements, the District's ISO rating improved dramatically.

Also recognized at the December 5 meeting was outgoing Chief Gordon Sletmoe, who will retire from Lebanon Fire at the end of December. Chief Sletmoe has been a valued friend to the OFDDA, giving generously of his time, knowledge, and experience. Several in attendance, including Chief Shane Wooten, Albany Fire Department, who presented Chief Sletmoe with a commemorative plaque, praised Chief Sletmoe for his leadership, mentorship, and, above all, his friendship.

Replacing Chief Sletmoe at Lebanon Fire District will be Chief Joseph Rodondi, who has more than 30 years of fire service experience. He served with the Livermore-Pleasanton Fire Department (California) from 1997-2015. He started as a Firefighter/Paramedic and progressed through the ranks as Fire Engineer, Captain, Battalion Chief, and, finally, Deputy Fire Chief from

Chief Wooten presents a commemorative plaque to retiring Chief Sletmoe.



2010-2015 when he retired as Deputy Fire Chief/Acting Fire Chief. Chief Rodondi previously served with the San Bruno Fire Department (California) from 1985-1997, where he was a Firefighter/Acting Fire Captain and Fire Mechanic. He holds an Associate of Science degree in Fire Science from the College of San Mateo in California, and a Bachelor of Science.

Chief Sletmoe also took the opportunity to report that Lebanon Fire would be hosting an event later that evening to honor Volunteer Firefighter Bob Berry who has faithfully served Lebanon Fire for 61 years. Berry, who no longer responds to fires but still takes part in drills and training, was given a special award during the Lebanon Fire District's annual award banquet last year to commemorate his time with the department.

Those wishing to nominate a district for the OFDDA District of the Year Award may submit a nomination form, downloadable from the OFDDA website at www.ofdda.com.

From Left to Right: Chief Shane Wooten, Chief Gordon Sletmoe, and incoming Chief Joseph Rodondi.



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Congratulations, 2020 OFDDA Board Members!

From L to R: Oregon State Fire Marshal Jim Walker, President John Dunn, First Vice President Curtis Hoopes, Second Vice President Jay Cross, Past President Don Thompson, Director Laura Green (Position 6), Director Joseph Morneau (Position 5), Director Scot Breeden (Position 3), Director Allen Forster (Position 4), and Director David Burnett (Position 2).

