

**ARTICLE 16
SENIORITY**

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SECTION 1 – Definition

For the purpose of this Agreement, “seniority” shall be defined as continuous service in the broadband level; provided, however, that an employee shall be considered to have a break in service when the employee separates and is not on any State Personnel System payroll for at least 31 calendar days following the separation.

↑ Broad Band levels

SECTION 2 – Seniority Application

Except under extraordinary circumstances, vacations and regular days off shall be scheduled with due regard for the needs of the agency, seniority, and employee preference. The state and the Association understand that there may be times when the needs of the agency will not permit such scheduling.

SECTION 3 – Vacation and Holiday Leave

Where practicable, requests for leave of 40 contiguous hours or more, or for holidays, shall be requested at least 60 days in advance of such leave in order that the provisions of this Article may be fully implemented; however, in implementing this provision nothing shall preclude the agency from making reasonable accommodations for extraordinary leave requests or ensuring the fair distribution of leave during favored holidays.

SECTION 4 – Step Plans to Provide Seniority

Step plans shall be established for each job class of the FSFSA. In utilization with pay band scales for the provided job classes, they shall be divided into a minimum of five (5) sections with steps provided over a yearly service time out to thirty (30) years with a minimum of \$2500.00 between the step provisions. Employees shall be provided with an increase to pay for each year of service within the pay band scale to include educational and job specific training for each position to be established by committee between the agencies and the FSFSA.

**ARTICLE 18
LEAVES OF ABSENCE**

SECTIONS 1 – 3 Status Quo

(Benefit) Change
SECTION 4 – GRIEVANCE LEAVE

FSFSA employees shall be provided grievance leave of ~~1~~ full shift to allow for adequate means to attend and handle affairs needed.

Article 24

ON-CALL ASSIGNMENT, CALL-BACK AND RESIDENCY

SECTION 1 – *Status Quo*

SECTION 2 – On-Call Additive

- (A) When approved as provided herein, an employee who is required to be on-call shall be paid an on-call additive in the amount of ~~one dollar (\$1.00)~~ **two dollars (\$2.00)** per hour for the hour(s) such employee is required to be on-call pursuant to Rule 60L-32.0012(2)(b), Florida Administrative Code.

(B-C) *Status Quo*

SECTIONS 3 – 4 *Status Quo*

ARTICLE 25
WAGES

SECTIONS 1 – 3 Status Quo (except for Yearly Provision Date)

SECTION 4 – Performance Pay

In accordance with the authority provided in the Fiscal Year 2020-2021 General Appropriations Act, contingent on the availability of funds and at the Agency Head's discretion, each agency shall authorize to grant merit pay increases for each job class within the FSFSA based on the employee's exemplary performance, as evidenced by a performance evaluation conducted pursuant to Rule 60L-35 Florida Administrative Code. Requirement of employees to obtain and job offer from outside the agency for review if the agency wishes to retain and offer pay increase shall be prohibited.

SECTION 5 – Competitive Pay Adjustments

1.) In accordance with the authority provided in the Governor's recommendations for Section 8 of the General Appropriations Act, effective July 1, 2020, the State of Florida shall grant competitive pay adjustments of \$2500.00 to the base rate of pay of all employees filling firefighter positions in the following classes which were not provided recognition in the 2018-19 provision:

1. **Fire Protection Specialist (Code 8804)**
2. **Field Representative Supervisor (Code 1366)**
3. **Field Representative (Code 1360)**
4. **Fire College Instructor Supervisor (Code 1364)**
5. **Fire College Instructor (Code 1362)**

2.) Effective July 1, 2020, the State of Florida shall grant competitive pay adjustments of eight percent to all bargaining unit positions base rate of pay to include a 2 percent increase for each five years of service to establish proper seniority for all job classes.

ARTICLE 26
EQUIPMENT, CLOTHING, & AWARDS

Under Advisement

SECTION 1 – Accessories and Equipment

Accessories and equipment required as part of the employees job duties shall be provided by the Agency for use at no cost to the employee.

- (A) Where handheld radios are provided, they shall be suitable for firefighting use.
- (B) Shield or Star style badges shall be provided to employees. Collar brass will continue to be issued per agency policy where applicable.
- (C) Name tags or identification shall continue to be standard issue per agency policy
- (D) Employees will be permitted to wear Paramedic, EMT, award recognition, Union, and organizational pins. The Union pin shall be no larger than one (1) inch in diameter.
- (E) Employees will be permitted to wear work t-shirt with Agency Designation design with Local S-20 permitted to be displayed below when not engaged in activities which require Full Uniform service. T-shirts shall be provided by FSFSA at request of members.

SECTION 2 – Clothing Allowance

- (A) FSFSA employees who are currently required to wear uniforms in the Department of Agriculture and Consumer Services Florida Forest Service, Department of Children and Families State Hospital, and Department of Military Affairs shall have a uniform purchase and boot allowance pursuant to the agency's uniform policy which shall provide for cost increases to required uniform or boot items.
- (B) All non-uniformed employees shall receive a clothing allowance in the amount of \$500.00 annually.

SECTION 3 – Award

When an employee retires under any provision of the Florida Retirement System, including medical disability retirement, the employee shall be presented his badge and an identification card clearly marked "RETIRED" as provided in section 112.193, Florida Statutes.

SECTION 4 – Award Program

The state agrees to promote a program of recognition awards for employees which shall include:

- (A) Upon promotion, a framed certificate certifying the promotion.
- (B) Awards for bravery and outstanding service.
- (C) Service awards through the use of certificates, patches or pins recognizing years of service with the State; specifically recognizing 15, 20, 25 and 30 years of service.
- (D) Upon normal retirement, an identification card and badge

ARTICLE 29
HEALTH & WELFARE

Under Amendment

SECTIONS 1-4 (Status Quo)

SECTION 5 – Personnel Cancer Safety

In order to promote safety from cancer exposure and prevent cancer advancement from exposures for FSFSA employees, the state shall guarantee that each employee is provided the opportunity to receive an Life Scan or comparative review at least once every ~~twelve~~ ¹² ~~(12)~~ months, at no cost to the employee. Training shall be provided to each employee for the purpose of familiarization and preventative measures to be taken to limit the exposure to cancer causing agents. Decontamination procedures to be established and utilized to remove cancer causing means to include cleaning of exposed items. Contaminated clothing shall be properly cleaned by recognized means by which the employee shall not expose them or others to cross contamination at no cost to the employee.

SECTION 6 – Equipment Replacement

Agencies where equipment have been provided as part of the facilities construction and operation or for the maintenance of safety equipment utilized by the employees shall be repaired or replaced when the equipment is found to be inoperable.

Florida Firefighter Cancer Coverage-2019

SB 426(HB 857/HB 7129)-Signed into law by Gov DeSantis as 2019-21

Sponsored in the Senate by Senator Anitere Flores & Cosponsored by:

Torres; Hooper; Perry; Gruters; Broxson; Stewart; Taddeo; Berman; Powell; Mayfield; Rouson; Montford; Bracy; Farmer; Book; Gibson; Bean; Wright; Harrell; Baxley; Rodriguez; Rader

Sponsored in the House by Rep Matt Willhite, Rep Chris Latvala, Rep Ingoglia & Cosponsored by:

Alexander; Aloupis; Altman; Andrade; Antone; Ausley; Avila; Bell; Beltran; Brannan; Brown; Buchanan; Bush; Byrd; Caruso; Casello; Clemons; Cortes, J.; Daniels; Davis; Diamond; DiCeglie; Donalds; Drake; Driskell; DuBose; Duggan; Duran; Eskamani; Fernández; Fernandez-Barquin; Fetterhoff; Fischer; Fitzenhagen; Geller; Goff-Marcil; Good; Gottlieb; Gregory; Grieco; Hart; Hattersley; Hill; Hogan Johnson; Jacobs; Jacquet; Jenne; Jones; Joseph; La Rosa; LaMarca; Leek; McGhee; Mercado; Newton; Omphroy; Overdorf; Payne; Plasencia; Polo; Polsky; Ponder; Raschein; Robinson; Rodriguez, A.; Rodriguez, A. M.; Roth; Santiago; Silvers; Sirois; Slosberg; Smith, C.; Smith, D.; Stark; Stevenson; Thompson; Toledo; Tomkow; Valdes; Watson, C.; Webb; Williams; Williamson; Yarborough; Zika

Overview:

- Creates Florida Statutes 112.1816
- Requires certain cancer benefits be provided to firefighters, by their employer or former employer (10 yrs)
- Firefighters must meet certain requirements: 5 yrs on job, 5 yrs no tobacco, Secondary Employment, etc
- Benefits are an alternative to the firefighter filing a costly Workers Comp claim
- Coverage for cancer must continue to be available through the employer provided group health insurance plan. Out-of-pocket healthcare costs (Copays, Deductibles, Coinsurance, etc) must be reimbursed to the firefighter
- One-time \$25k payment upon initial cancer diagnosis in lieu of a work comp settlement
- Employer must apply leave time/job retention policies as if the cancer were a line of duty injury
- Employer sponsored retirement plans and Florida Statutes must consider death/disability from these cancers to be incurred in the line of duty
- Creates rules for fire department best practices on cancer reduction/prevention

Why this concept?

- Member Driven
- Allows firefighters to continue to obtain cancer treatment under their health insurance and NOT the costly and less than ideal Workers Comp system
- Gives firefighters a say in their own cancer treatment
- More easily allows the cancer coverage to be carried into retirement (up to 10 years) where many firefighter cancers obtained over a long career tend to appear
- Eliminates concerns over across the board increases to Workers Compensation rates
- Does not unfairly spread the costs equally across the state through Workers Comp premiums
- Employers with less cancer in their fire departments can have a lower fiscal impact than those without robust and successful cancer prevention programs

Covers these diseases, which have been identified as more prevalent in firefighters over the course of several studies:

Bladder Cancer	Brain Cancer	Breast Cancer	Cervical Cancer
Esophageal Cancer	Kidney Cancer	Intestinal Cancer	Lung Cancer
Malignant Melanoma	Mesothelioma	Multiple Myeloma	Non-Hodgkin's Lymphoma
Oral/Pharynx Cancer	Ovarian Cancer	Prostate Cancer	Rectal Cancer
Skin Cancer (Invasive)	Stomach Cancer	Testicular Cancer	Thyroid Cancer
			Colon Cancer

Costs

- Cannot be shifted onto the firefighters
- Retirement plan costs estimated at less than 0.25% of payroll for Cities and 0.09% for FRS
- Cost of 25k benefit insurance product is estimated to be less than \$200 per year/per firefighter
- Other costs (health coverage, death benefit, best practices, etc) are also predicted to be much lower than the flood of workers compensation claims that we believe were on the horizon as firefighter cancer research progresses
- Employers can comply with the bill by purchasing or self-insuring coverage, which should help them more accurately predict their fiscal impact



Summary of SB 426-Firefighter Cancer benefits



The bill was signed into law on May 3, 2019 becomes effective July 1, 2019.

Any of these events that take place AFTER the effective date will make the firefighter (in some cases a former firefighter or his/her beneficiary) eligible for the corresponding benefit, if the firefighter qualifies*

Event	Benefit
A: Initial Cancer diagnosis (21 cancers qualify)	One time \$25k payment **
B: Cancer treatment	Out-of-pocket healthcare cost reimbursement by employer **
C: Leave time and job retention	Employer policies must be applied in the same way as for other line of duty injuries
D: Total & Permanent Disability	Line of Duty disability benefits from the retirement plan
E: Death	Line of Duty Death benefits from the retirement plan AND the employer under FL ST Chapter 112.191(2)(a)

Examples:

Firefighter #1 was diagnosed with stomach cancer on 8/13/2015. He is still on the job and is not disqualified by any of the required criteria*. His "initial diagnosis" was several years prior to the bill becoming law; therefore he would not receive the \$25k payment. He would also not be reimbursed for any out-of-pocket expenses incurred prior to 7/1/19. However, if he incurs out-of-pocket healthcare costs for continued treatment of his stomach cancer after 7/1/19, he would be entitled to reimbursement. Additionally, any of the other events, listed in the chart above, which occur after 7/1/19 would qualify him for the corresponding benefit.

Firefighter #2 does not have cancer. She left employment at the Fire Department on 4/26/17 and was not subsequently employed as a firefighter. If she elected to continue coverage with her employee sponsored health insurance and met the required criteria* for coverage when she terminated employment, she is eligible for the benefits listed above upon any of the qualifying events through 4/25/27.

Firefighter #3 has been on the job since 12/26/99 and will be diagnosed with brain cancer on 8/5/19. If he is not disqualified by any of the required criteria*, he would receive \$25k, reimbursement for any out-of-pocket healthcare costs, the same workplace policies would be applied to him as are applied for line-of-duty injuries (time off, job retention), any total and permanent disability incurred due to cancer would be considered "in the line of duty", and his death from cancer would be considered "in the line of duty" by the retirement plan and FL ST Chapter 112.191(2)(a).

*Firefighter has been employed by his or her employer for at least 5 continuous years, has not used tobacco products for at least the preceding 5 years, and has not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer

**If the firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after he or she terminates employment, the benefits specified in paragraphs (a) and (b) must be made available by the former employer of a firefighter for 10 years following the date on which the firefighter terminates employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not subsequently employed as a firefighter following that date

Please contact your local IAFF union, FPF District Vice President, or FPF Headquarters at (850) 224-7333 with questions or for assistance obtaining benefits.