



Disaster Service Worker Volunteer Program (DSWVP) Guidance

Gray Davis
Governor
State of California

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Director
Governor's Office of Emergency Services

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Guidance

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This DSWVP Guidance dated April 6, 2001 will be revised as regulations are amended or other significant changes are deemed appropriate.

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DISASTER SERVICE WORKER VOLUNTEER PROGRAM

Introduction

The State of California Disaster Service Worker Volunteer Program (DSWVP) provides workers' compensation insurance coverage in the event a Disaster Service Worker (DSW) volunteer is injured while performing assigned disaster duties.

This publication provides the Program history, information on the *Disaster Service Worker Volunteer Program Regulations*, and answers to questions frequently asked. This publication is to be used in conjunction with the DSWVP regulations. (Cal. Code of Regs., Title 19, §2570-2573.3)

Additional Program information may be obtained by contacting the Governor's Office of Emergency Services, Disaster Service Worker Volunteer Program Coordinator at (916) 464-3200.

Included in this guidance booklet are step-by-step instructions for filing workers' compensation claims under this Program. When filing claims, the State Compensation Insurance Fund (SCIF) office may answer additional questions and provide forms and brochures.

For SCIF forms and brochures call (916) 567-7526. This is not an information line.

For SCIF claim office call (916) 567-7629.

Disclaimer

This publication is a guidance document and does not establish new standards. It is informational only and does not replace regulations or statute. Legal questions should be addressed with your city or county counsel.

PROGRAM HISTORY

Understanding the Program

To understand the Disaster Service Worker Volunteer Program (DSWVP), you must flip your calendar pages back to the early 1940's when our country was involved in World War II. At that time, all counties in California had War Councils. At a later time these War Councils were called Disaster Councils. Disaster Council's came to play a significant role in the development of the DSW Volunteer Program.

California Emergency Council / Disaster Councils

The California Emergency Council (CEC) has existed since the early 1900's, and continues to advise the Governor and review preparation for disasters and other emergencies. One of the statutory duties of the California Emergency Council is to approve local Disaster Councils, required by law to be accredited. (Govt. Code, §8612.) Accreditation is necessary in order for the Disaster Council to register disaster service worker volunteers in the DSW Volunteer Program (DSWVP). The DSWVP provides volunteers with Workers' Compensation if they are injured performing disaster service work and, in addition, provides limited immunity from liability.

The War Powers Act of 1943 and the California War Council

In 1943, due to concern regarding an invasion along the United States Pacific border, the War Powers Act of 1943 created the California War Council. The Council's first job was to help the city and county defense and local war councils.

The California War Council recognized that because of the war effort, human resources in California were inadequate to address the problems of mass attack or natural disasters. As a result, local war councils were forced to recruit numerous civilian volunteers. Men and women from all walks of life who were willing to train for hazardous jobs and to be on call at all times. These volunteers were subject to possible safety risks in the performance of emergency duties.

Prior to the War Powers Act, civilian volunteers were not provided any form of compensation if injured during the course of their volunteer duties. In 1942, the State Attorney General issued an opinion that under the California Workmen's Compensation Act (later re-named Workers' Compensation), volunteers injured during civilian defense work were not eligible for compensation. The legal theory was that because these volunteers freely donated their time for the benefit of California citizens without expectation of compensation, they similarly could not expect compensation if they were injured because there was no employment relationship.

Realizing that failure to compensate volunteers for injuries received while volunteering was not conducive to recruitment, the Legislature addressed the problem with the War Powers Act. The Act provided that volunteers might receive the benefits of the State Workmen's Compensation funds if the volunteer was injured in the course of his or her volunteer duty. One requirement of this benefit was that the volunteers must be registered with a local War Council, which in turn must be certified by the California (State) War Council. On June 4, 1943, the California (State) War Council certified all existing War Councils in California as "accredited" for the purpose of qualifying their enrolled Civilian Defense workers for workers' compensation for injuries incurred during the course of volunteer duties.

Volunteers and

As a result of the California (State) War Council's action in accrediting local War Councils

Workers’ Compensation

(later called Disaster Councils), and the availability of Workmen’s Compensation, volunteer groups were formed. These volunteers were called into action in many local crises. The California (State) War Council succeeded in establishing the rights of injured volunteers to apply for Worker’s Compensation, even though the emergency in which they had acted was not due to enemy action.

Currently, Disaster Service Workers, like their predecessors, the Civilian Defense Workers, provide valuable services during emergencies. Workers’ Compensation benefits continue to be provided to registered volunteers who contribute their services to protect health and safety and preserve lives and property of the State. State law now protects volunteers from financial loss resulting from injury, as well as providing them limited immunity from liability in the course of their disaster service duties.

Accredited Disaster Councils

California law requires Disaster Service Workers register with an accredited Disaster Council, the Governor’s Office of Emergency Services, or an authorized State agency.

Most cities and all counties in California have established Disaster Councils that are accredited by the California Emergency Council. Affiliation with an accredited Disaster Council and delegated authority from that council are required prior to a jurisdiction administering a disaster service worker volunteer program. (Cal. Code of Regs., Title 19, §2571)

Accreditation Process

Accreditation of a Disaster Council must be certified by the California Emergency Council, either directly, during a meeting, or through ratification of the Governor’s approval in case the California Emergency Council is not meeting. (Govt. Code, §8581.) Accreditation of a Disaster Council is mandatory in order to register Disaster Service Worker volunteers. (Cal. Code of Regs., Title 19, §§ 2570.2(d), 2571(a)).

Eligibility for accreditation requires a Disaster Council to provide the Governor’s Office of Emergency Services with the following:

A certified copy of an ordinance addressing four items:

1. The ordinance must provide for the existence of a Disaster Council.
2. A Chairperson or Director of the Disaster Council must be specified.
3. The emergency management organization must be recognized.
4. Compliance with the Emergency Services Act must be stated.

A model ordinance for both cities and counties is located in Appendix #3 (page 45) of this Guidance. Also included are the Master Mutual Aid Agreement and a Resolution for Registering DSW’s. These two documents could also be submitted with the request for accreditation.

If you are unsure of the accreditation status of your jurisdiction, contact your city manager or the Governor’s Office of Emergency Services or refer to the Appendix # 2 (page 35) of this Guidance. (Appendix #1: List of California Accredited Disaster Councils)

Questions

Questions regarding the accreditation of your Disaster Council can be directed to the Governor’s Office of Emergency Services, Planning and Technological Assistance Branch, at (916) 464 - 3200.

DEFINITIONS

Disaster Service Worker Volunteer

Registered DSWs: A disaster service worker volunteer is “...any person registered with an accredited Disaster Council...for the purpose of engaging in disaster service...without pay or other consideration.”²

Registered DSW volunteers are persons who have chosen to volunteer their time to assist a disaster or emergency services agency in carrying out the responsibilities of that agency. The person must:

- be officially registered with the accredited Disaster Council; and,
- not receive any pay, monetary or otherwise, for the service being provided.

Public employees as DSWs

“Disaster service worker” includes public employees performing disaster work that is outside the course and scope of their regular employment without pay...”. (Labor Code, §3211.92(b).

Impressed into service

The definition “...also includes any unregistered person impressed into service during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of the citizens in the execution of his or her duties.”²

Circumstances can occur when an emergency official (a fire fighter, law enforcement officer, or other public official having authority to command the aid of citizens to carry out assigned duties) requires the immediate assistance of another person who may not be a public employee or a registered volunteer. In such a time, that official can order a bystander to assist in that emergency situation. When that is done, the bystander has just been impressed into service, and as such, is covered by worker’s compensation and has immunity from liability to the same degree as a registered DSW volunteer. Although rare, certain situations may warrant such action. The emergency official should take note of the impressed person’s name, address, and phone number at the scene of the incident. The impressed person is under the supervision of that official until released from that duty.

Disaster Service

“Disaster service means all activities authorized by and carried on pursuant to the California Emergency Services Act, including approved and documented training necessary or proper to engage in such [disaster] activities.” (Cal. Code of Regs., Title 19, §2570.2. (3)(b)(1)).

The California Emergency Services Act provides a definition of disaster activities resulting from a “State of war emergency”, a “State of emergency”, and/or a “Local emergency.” This DSWVP Guidance will not address those activities in depth, refer directly to the California Emergency Services Act for additional information. (Govt. Code, §8558 (a)(b)(c)).

The disaster service, as defined for the DSW Volunteer Program, is designed primarily to aid in disaster events. It does not include the day-to-day emergency response activities typically associated with, for example, law enforcement, fire services or emergency medical services.

Convergent Volunteers

Convergent volunteers are not pre-registered volunteers, and have not been impressed into service. They are volunteers who come forward spontaneously during the time of a disaster or emergency event, or post disaster to assist without pay or compensation. Over

the years, California has experienced major disaster events including floods, earthquakes

1 & 2. Cal. Labor Code § 3211.92. “Disaster service worker does not include any member registered as an active fire fighting member of any regularly organized volunteer fire department..., or any paid sheriff’s reserve officer ”.

and fires. During such events, individuals have offered to volunteer their time and skills to assist local government in aiding with the disaster. As many as 10,000 of these individuals (called convergent volunteers) came forward during the Loma Prieta earthquake in 1989.

Augment Existing Organizations

Convergent volunteers are used to augment existing organizations. Pre-disaster registered volunteers are typically used before convergent volunteers. Convergent volunteers serve at the pleasure of the management of the agency they are assisting. The agency may restrict assignments, control their level of participation, or prohibit their use all together. The agency's management assumes the responsibility to ensure that convergent volunteers are physically and mentally capable of performing duties to which they will be assigned, and must provide training appropriate to the assignment. An example of training could be; safety instruction in filling and passing sandbags in a flood situation prior to a volunteer being assigned to that job. Another example of training could be; basic safety instruction in assisting at a shelter and processing incoming evacuees.

Single Event Registration

Volunteers who spontaneously come forward to assist can become registered as DSW volunteers for the duration of that single event. (*Refer to Registration and Training*) The local emergency plan should make provisions for organizing and registering convergent volunteers. To be covered for workers' compensation benefits, these volunteers must meet all of the requirements as indicated in the DSW Volunteer Program Regulations. This would include proper registration, appropriate training and working under official supervision. Some Disaster Councils have identified in their emergency plans that certain community-based organizations (CBO's) may facilitate the registration of convergent volunteers. Directing volunteers to a designated location and dispatching them through the CBO may help the accredited Disaster Council manage its resources. The CBO's however, cannot actually register the volunteers. They can assist volunteers filling out the registration form, but the public official having authority to do so must administer the loyalty oath, etc.

Once a convergent volunteer is registered as a Disaster Service Worker volunteer, that person is no longer convergent, but considered a registered DSW volunteer.

Good Samaritan laws

Convergent volunteers not registered as DSW volunteers, have some liability protection for disaster service under Good Samaritan Laws. They are not, however, provided immunities to the extent as registered DSW volunteers and are not covered for workers' compensation insurance through the DSW Volunteer Program. (Govt.Code, §§820, §8657, Public Law 105-19, Volunteer Protection Act of 1997, 42 USCA 14501-14505)

Immunity from Liability

Public Law

The Emergency Services Act (§8657) provides DSW volunteers with limited immunity from liability while providing disaster service as it is defined in §§2570.2 and 2572.2 of the *Disaster Service Worker Volunteer Program Regulation* (Cal. Code of Regs., Title 19).. Additionally, U.S. Public Law 105-19, *Volunteer Protection Act of 1997*, provides limited protection. Immunity from liability protects the political subdivision or political entity, and the DSW volunteer in any civil litigation resulting from acts of good faith made by the political subdivision or political entity, or the DSW volunteer, while providing disaster service (e.g., damage or destruction of property; injury or death of an individual). Immunity from liability does not apply in cases of willful intent, unreasonable acts beyond the scope of DSW training,

or if a criminal act is committed.

DSWVP

The California “Disaster Service Worker Volunteer Program,” sometimes referred to as the DSW volunteer program or the DSW program.

CLASSIFICATIONS OF DISASTER SERVICE WORKER VOLUNTEERS

Classifications DSW volunteers are used throughout the state to augment first responder and rescue teams in a state of war, state of emergency, or a local emergency disaster, and to assist in recovery activities following a catastrophic event. The DSW volunteer classifications approved by the California Emergency Council are listed below. If an accredited Disaster Council determines it needs volunteer disaster services not included in one of these classifications, the Council may contact the Governor’s Office of Emergency Services, DSWVP Coordinator.

<i>Animal Rescue, Care & Shelter</i>	<i>Laborer</i>
<i>Communications</i>	<i>Law Enforcement</i>
<i>Community Emergency Response</i>	<i>Logistics</i>
<i>Team Member</i>	<i>Medical & Environmental Health</i>
<i>Finance & Administrative Staff</i>	<i>Safety Assessment Inspector</i>
<i>Human Services</i>	<i>Search & Rescue</i>
<i>Fire</i>	<i>Utilities</i>

Specialties Classifications may further be defined into specialty areas (e.g.; *Human Services* may include, providers of food, shelter, registration of evacuees, and religious or spiritual needs. *Laborer* may include, a person under the direction and supervision of the responding agency who is doing general labor services and supporting emergency operations. *Medical and Environmental Health* may include, doctors, nurses, radiologists, laboratory technicians, etc.). The DSW volunteer registration form should include a space for the specialty as shown on the sample registration on page 13 of this Guidance. This specialty information will assist the emergency organization in resource planning and management.

REGISTRATION

Purpose of registration

Disaster Service Worker volunteers are registered in order to:

- Assist the emergency organization in advance disaster planning
- Assist in the dispatch and management of resources
- Facilitate administration of the loyalty oath, as required by law
- Protect the interests of volunteers who provide direct services to government agencies and;
- Provide documentation required for workers' compensation coverage under the DSW Program.

Registration

Volunteers, as well as the emergency authority administering the oath, should sign and date the registration form. If under 18 years of age, the signature of a parent or legal guardian is required.

It is illegal to retroactively register a volunteer as a DSW volunteer. For example, if a person has been active with a volunteer organization for some time, but not registered, and is injured, it would be illegal to register them after the injury in hopes the DSW Volunteer Program would cover the injury.

Loyalty Oath

No workers' compensation benefit or reimbursement of expenses incurred may be paid to any DSW volunteer unless the loyalty oath has been taken or subscribed to.

Administration of the Oath

The oath is to be administered only by an officer authorized to administer oaths. At the county and city level, the county or city clerk, at the request of the jurisdiction's OES, may deputize selected staff from the county or city OES as Deputy County/City Clerks for the purposes of administering the loyalty oath to DSW volunteers. The county or city clerk may also designate the county or city OES as the official repository for DSWVP records to make the administration of the Program more practical.

(Refer to Appendices: Govt. Code §3104 and Memo Subject: Administration of Oath)

Registration Expiration

The effective period of a registration may differ according to circumstances.

Single Event Registration

A DSW volunteer can be registered for a single event only; such as an exercise, a drill or an actual disaster, even though the person is not a regular active member of an organized response team. At the discretion of the accredited Disaster Council, a single event only registration can be extended to a period of up to one calendar year. (Govt. Code, §3102)

Multi Event Registration

For a registered, active DSW volunteer response team member, the registration is effective for the period the person remains a member with that organization. The accredited Disaster Council does have the discretion to establish a more limited oath/registration period such as a certain number of years. Registration renewal times could prompt the DSW volunteer to provide any updates on personal information such as address, telephone

numbers and emergency contact information. The active DSW volunteer does not have to retake or re-subscribe to the loyalty oath with each registration renewal. If, however, the volunteer withdraws from service and later re-registers, the loyalty oath must be re-administered. (Govt. Code. 3102.(c))

Background Investigations

There is no statute or regulation requirement for criminal background investigation and health examinations for Disaster Service Worker volunteers. The local accredited Disaster Council may make a determination to review the criminal and health background of potential DSWs. This determination should be made in consultation with local legal counsel. Also, it is prudent to verify professional licenses or certificates, when these documents are pertinent to the duties of the DSW.

Registration Form

An “example” of a completed registration form is located on page 13. A blank registration form is located on page 14. The document style is not required, but is a sample that can be used, or revised, to meet the needs of the jurisdiction, including the use of a jurisdiction’s logos. The form may be copied.

(An electronic copy of the registration form can be requested by contacting the Governor’s Office of Emergency Services, Regional Staff or the DSW Program Coordinator.)

The person applying to volunteer should fill out the registration form. Information fields required by DSWVP regulations are shaded on the registration form. Additional fields can be filled out with pertinent information that is helpful to the emergency services organization. When signing the registration form, a person having the delegated authority to do so must administer the loyalty oath, and the form signed and dated by that authorized official. (Refer to Appendices: Memo Subject: Administration of Oath and Govt. Code. §3104)

DISASTER SERVICE WORKER REGISTRATION

LOCAL AND STATE INFORMATION



Loyalty Oath under Code of Civil Procedure §2015.5 & Title 19, Div.2, Chap.2, Sub-Chap.3, §2573.1

ATTACH PHOTOGRAPH HERE	<i>This block to be completed ONLY by government agency or jurisdiction</i>	
	CLASSIFICATION: <u>Search & Rescue</u>	SPECIALTY: <u>CARDA</u>
	AGENCY OR JURISDICTION: <u>Monterey County Sheriff's Department</u>	
	REGISTRATION DATE: <u>1/3/00</u>	RENEWAL DATES: _____
	EXPIRATION DATE: * _____	DSW CARD ISSUED?: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES #: _____
PROCESSED BY: _____	DATE: _____ TO CENTRAL FILES: _____	

TYPE OR PRINT IN INK

(HIGHLIGHTED AREAS REQUIRED BY REGULATION)

NAME: LAST <u>Doc</u>		FIRST <u>John</u>	MI <u>L.</u>	SSN: <u>555-55-5555</u>
ADDRESS: <u>12 Lake Ct</u>		CITY: <u>Monterey</u>	STATE: <u>CA</u>	ZIP: <u>95060</u>
COUNTY: <u>Monterey</u>	HOME PHONE: <u>(831) 555-1212</u>		WORK PHONE: <u>(831) 555-1213</u>	
PAGER: <u>(831) 555-1214</u>	E-MAIL: _____		DATE OF BIRTH: (optional) <u>8/3/59</u>	
DRIVER LICENSE NUMBER: (if applicable) <u>Z1234567</u>	DRIVER LICENSE CLASSIFICATION: <input type="checkbox"/> AD <input type="checkbox"/> BD <input checked="" type="checkbox"/> CD		LICENSE EXPIRATION DATE: <u>8/3/03</u>	
PROFESSIONAL LICENSE: (if applicable) _____	PCC LICENSE: (if applicable) _____		LICENSE EXPIRATION DATE: _____	
IN CASE OF EMERGENCY, CONTACT: <u>Marie Doe</u>				EMERGENCY PHONE: <u>(831) 555-5555</u>
PHYSICAL IDENTIFICATION:	HAIR: <u>Br</u>	EYES: <u>Br</u>	HEIGHT: <u>6' 2"</u>	WEIGHT: (optional) <u>190</u>
BLOOD TYPE: (optional) _____				
COMMENTS: _____				

Government Code §3108-§3109:

Every person who, while taking and subscribing to the oath or affirmation required by this chapter states as true any material matter which he knows to be false, is guilty of perjury, and is punishable by imprisonment in the state prison not less than one nor more than 14 years. Every person having taken and subscribed to the oath or affirmation required by this chapter, who, while in the employ of, or service with, the state or any county, city, city and county, state agency, public district, or disaster council or emergency organization advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony and is punishable by imprisonment in the state prison.

LOYALTY OATH OR AFFIRMATION (GOVERNMENT CODE §3102)

I, John Doe, do solemnly swear (or affirm) that I will support and defend the
PRINT NAME

Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; that I will well and faithfully discharge the duties upon which I am about to enter. I certify under penalty of perjury that the foregoing is true and correct.

1/3/00 John Doe
DATE SIGNATURE

Jane Smith Sergeant
SIGNATURE OF OFFICIAL AUTHORIZED TO ADMINISTER LOYALTY OATH TITLE

*Expiration date is typically 5 years from the registration date for active DSW's; for intermittent or single event expiration date set at the discretion of the Disaster Council but not to exceed one year. (See Govt. Code §3102)

DISASTER SERVICE WORKER REGISTRATION

LOCAL AND STATE INFORMATION



Loyalty Oath under Code of Civil Procedure §2015.5 & Title 19, Div.2, Chap.2, Sub-Chap.3, §2573.1

ATTACH PHOTOGRAPH HERE	<i>This block to be completed ONLY by government agency or jurisdiction</i>	
	CLASSIFICATION: _____	SPECIALTY: _____
	AGENCY OR JURISDICTION: _____	
	REGISTRATION DATE: _____	RENEWAL DATES: _____
	EXPIRATION DATE:* _____	DSW CARD ISSUED: NO YES #: _____
	PROCESSED BY: _____	DATE: _____ TO CENTRAL FILES: _____

TYPE OR PRINT IN INK

(HIGHLIGHTED AREAS REQUIRED BY PROGRAM REGULATIONS)

NAME: LAST FIRST MI			SSN:		
ADDRESS:		CITY:		STATE	ZIP:
COUNTY:		HOME PHONE:		WORK PHONE:	
PAGER:		E-MAIL:		DATE OF BIRTH: (optional)	
DRIVER LICENSE NUMBER: (if applicable)		DRIVER LICENSE CLASSIFICATION: A B C		LICENSE EXPIRATION DATE:	
PROFESSIONAL LICENSE: (if applicable)		OTHER DRIVING PRIVILEGES:		LICENSE EXPIRATION DATE:	
FCC LICENSE: (if applicable)				LICENSE EXPIRATION DATE:	
IN CASE OF EMERGENCY, CONTACT:				EMERGENCY PHONE:	
PHYSICAL IDENTIFICATION:	HAIR:	EYES:	HEIGHT:	WEIGHT: (optional)	BLOOD TYPE: (optional)
COMMENTS:					

Government Code §3108-§3109:

Every person who, while taking and subscribing to the oath or affirmation required by this chapter states as true any material matter which he knows to be false, is guilty of perjury, and is punishable by imprisonment in the state prison not less than one nor more than 14 years. Every person having taken and subscribed to the oath or affirmation required by this chapter, who, while in the employ of, or service with, the state or any county, city, city and county, state agency, public district, or disaster council or emergency organization advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony and is punishable by imprisonment in the state prison.

LOYALTY OATH OR AFFIRMATION (GOVERNMENT CODE §3102)

I, _____, do solemnly swear (or affirm) that I will support and defend the
PRINT NAME
 Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; that I will well and faithfully discharge the duties upon which I am about to enter. I certify under penalty of perjury that the foregoing is true and correct.

 DATE SIGNATURE IF UNDER 18 YEARS OLD, SIGNATURE OF PARENT/GUARDIAN

 SIGNATURE OF OFFICIAL AUTHORIZED TO ADMINISTER LOYALTY OATH TITLE

*Registration for the active DSW volunteer is effective for the period the person remains a member with that organization; for a volunteer registering for an intermittent or a single event, the expiration date is set at the discretion of the accredited Disaster Council but not to exceed one year. (Govt. Code §3102)

PROGRAM ADMINISTRATION

File Retention and Record Keeping

Documented proof of the oath or affirmation on the registration form of any Disaster Service Worker volunteer is an integral part of an injury claim for workers' compensation. File retention should follow the same rules as other public agency personnel records. The Registration form with oath or affirmation shall be filed within 30 days of the date it was taken or subscribed as follows:

State Agencies

State agencies registering DSW volunteers should file the DSW registration/loyalty oath as prescribed by the State Department of Personnel Administration.

Counties

The registration/oath of any county DSW volunteer shall be filed in the office of the county clerk or in the official department personnel file of the county employee who is designated as a disaster service worker. The oath may be destroyed without duplication five years after the termination of the employee's employment by the county. (Govt. Code, §3105,(b)) (*The term, "employee" is referring to a "volunteer".*)

Cities

File DSW volunteer registration/oaths in the office of the city clerk. At the request of the City OES, the City Clerk may designate a department (e.g., city OES) as the official repository for Disaster Service Worker records in order to make the administration of the program more practical.

Other Agencies or Districts

File DSW volunteer registration/oaths with an agency or district designated officer or employee.

Retaining Records

DSWVP original documents are public record and subject to disclosure under the Public Records Act (Govt. Code, §6250, et. seq.). Records should be retained in an official file, available for review by the Governor's Office of Emergency Services or State Compensation Insurance Fund should the need arise. **A copy of the original registration with oath must be submitted with any DSWVP claim.** (Cal. Code of Regs., Title 19, §2573.2 and Govt. Code, §3105)

Training

Since volunteers are important assets in a major response, DSW volunteers should be trained and prepared for disaster service assignments. Registered DSW volunteers are provided workers' compensation insurance coverage while participating in training activities that are pre-approved and documented by the supervising authority. All training should be supervised by the accredited Disaster Council or its' designee. (Cal. Code Regs., §2573.1 (5)(b)(c)(2)(3))

While some classifications require very basic training, others require extensive and specialized training. Some professionals (physicians, nurses, engineers, architects, etc.) may need additional training in how to provide their services under extreme circumstances or hazardous conditions. Regardless of the classification, all DSW volunteers should be given basic safety instruction commensurate with the environment in which they may be providing services.

Documenting Training

Each registered DSW volunteer should have training prior to being dispatched to a disaster event. Training can be documented on something as simple as a training sign-in sheet or as elaborate as an individual electronic training record. In the event a DSW volunteer is

injured while attending a training activity, this documentation would help substantiate that the DSW volunteer was, in fact, participating in an official activity. Training schedule documentation should be prepared prior to the event. Should an injury occur during the training, coverage would be appropriately provided.

Exclusions

Registered DSW volunteers will not be provided workers' compensation coverage for participating in parades, public exhibitions, physical fitness training, or other activities not related to disaster service. There are exceptions to this, however, for example, Auxiliary Communications Systems (ACS) may schedule an authorized DSW volunteer training for crowd control communications and will use a public parade event as a tool for that specific type of training. In this example, crowd control communications is not the day-to-day activity of the ACS volunteer and the parade acts as an exercise to develop volunteer skills that can be used in a disaster.

Activation

All registered DSW volunteers should wait for official activation from their supervising authority before carrying out volunteer work. Official activation ensures the DSW volunteer the benefits and protections of the Disaster Service Worker Volunteer Program. Activation of DSW volunteers should be documented by the authorizing agency or organization.

Example - Community Volunteers

A major earthquake occurs, severely impacting "City A", and many surrounding cities and counties. The "City A" DSWVP coordinator contacts registered DSW volunteers but can only reach a few volunteers to report to duty at the "City A" Emergency Operations Center. The coordinator has an "Activation Sign-in Sheet" for the volunteers to sign when they report for duty. In nearby "City B" all registered DSW volunteers have been previously trained, that in time of a major disaster they are to report immediately to their neighborhood Community Emergency Response Team (CERT) coordinator for signing-in and further instruction.

Official activation took place in both "City A" and "City B" however, using different methods. "City A" activated via a phone or auxiliary communication to the registered volunteer, and "City B" volunteer activated immediately according to training procedures. Both had official activation sign-in rosters that can substantiate activated volunteers.

Example -Auxiliary Communications

Same scenario as previous example. As soon as "City A" is activated, the ACS Coordinator is alerted and ACS activated. "Radio Amateur Civil Emergency System (RACES) can be activated at any time of perceived or actual need by the sponsoring local or state government pursuant to a request of the authorized official of that government." (The ARRL Operating Manual, 3rd edition, page 14-17). Licensed auxiliary communication systems operators should know and follow the chain of authority in the written local government Emergency Communications (ECOMM) Unit Plan. The ECOMM bulletins are also available on the internet. (Refer to Appendix # 9 for acronyms and web sites)

Reimbursement of Expenses

Although DSWs volunteer their time without pay or other consideration, personal expenses incurred while performing disaster service may be reimbursed. Expenses may include per diem costs (meals, lodging, etc.) while providing disaster service out of the home area or

for extended work shifts. Policy with regard to reimbursement of expenses is to be determined by the accredited Disaster Council or designated authority. The DSW volunteer should be informed of this policy prior to incurring such expenses.

Note

The DSW Volunteer Program fund budgeted annually by the California Legislature does not provide funds for reimbursement of personal expenses incurred while performing disaster service. This fund allocation is only for workers' compensation insurance coverage. Funding for reimbursement of personal expenses incurred during disaster service is the responsibility of the accredited Disaster Council or designated authority, and may or may not be reimbursed to that entity by the state or by the federal government. Please check with your finance staff for specific information regarding reimbursement of disaster expenses.

WORKERS' COMPENSATION CLAIM PROCEDURES

Covered Activities

Registered DSW volunteers may file a claim for injuries sustained while engaged in the following activities:

- Performing disaster service, including travel to and from the incident site, when called to duty during an emergency or disaster, or while participating in a search and rescue operation.
- Participating in an authorized and documented, planned disaster training activity or disaster exercise. Coverage for these activities does not include travel to and from the training site.

Unregistered volunteers impressed into disaster service by a public official having the authority to do so, may file a claim for injuries sustained while performing that service. Unregistered volunteer workers not impressed into service may not file a claim if injured during a training activity or disaster exercise.

Supervising Agency Responsibilities

The supervising agency is responsible for briefing registered DSW volunteers on injury reporting procedures. This should be done as part of the initial safety training.

Two State Compensation Insurance Fund (SCIF) forms, a written narrative of the incident, and a copy of the DSWV Registration form including the loyalty oath must be submitted to properly initiate a claim:

1. SCIF Form 3301, *Employee's Claim for Workers' Compensation Benefits (revised with new header address, June 2000)*. This form must be provided to the DSW volunteer *within 24 hours*³ of the supervising agency receiving knowledge that an injury occurred or is alleged. The injured DSW volunteer should fill out and sign the form, returning it to the supervisor within 3 days (72 hours) of requesting the form.
2. SCIF Form 3267, *Employer's Report of Occupational Injury*. This form must be sent to SCIF *within 5 days*⁴ of the supervising agency receiving knowledge that an injury occurred or is alleged.
3. A brief and clear, written narrative of the incident leading to the injury.
4. A copy of the original DSW volunteer registration form including the signed loyalty oath.

Copies of these forms should be submitted to both SCIF and the Governor's Office of Emergency Services (State OES).

³ SCIF Brochure #13760, *Information for the Disaster Service Worker About Workers' Compensation Benefits*, may be given to an injured DSW volunteer at the same time. Brochures may be obtained from your local SCIF office or from the Governor's Office of Emergency Services.

⁴ Late reporting may result in penalties being paid from the DSWVP workers' compensation insurance, disaster relief fund.

STATE COMPENSATION INSURANCE FUND OFFICES

Instructions: As of February, 2000 all DSW claim documents should be sent directly to:

State Compensation Insurance Fund Office (SCIF)
 DSW Claims Representative
 P.O. Box 659011
 Sacramento, CA 95865-9011
 (916) 567-7629
 FAX (916) 567-7550

GOVERNOR’S OFFICE OF EMERGENCY SERVICES

Send copies of claims and correspondence to:

Governor’s Office of Emergency Services
 Planning & Technological Assistance Branch
 Attn: DSW Volunteer Program Coordinator
 P.O. Box 419047
 Rancho Cordova, CA 95741-9047
 (916) 464-3200
 FAX: (916) 464-3208

Claim Package Assembly and Distribution

Document Summary

Forward the following documents to:	SCIF Form 3301	SCIF Form 3267	Narrative or Incident Report	DSW Registration Form incl. Oath (copy)
SCIF	X (original)	X (original) + 2 nd copy	X	X
Governor’s OES	X	X (3 rd copy)	X	X
Supervising Agency	X	X	X	retain original
Injured DSW volunteer (claimant)	X			

The following pages have step-by-step instructions for filling out and submitting claim forms.

IF YOU NEED SCIF FORMS, CALL (916) 567-7526

24-hour Claims Reporting Center, call 1-888-222-3211

SCIF FORM 3301 - Employee's Claim for Workers' Compensation Benefits (See pages 22-23)

Claim Instructions for the registered DSW Volunteer

Step 1: The injured DSW volunteer (or a relative or legal representative if the DSW volunteer is incapacitated) must complete the top section of the form (lines 1 through 8), in its entirety.

Line	Instruction
1	Enter the full name of the DSW and the date this section of the form was completed.
2	Enter the DSW volunteer's home street address.
3	Enter the city, state and zip code.
4	Date and time of injury: For a specific injury, give the date the accident occurred. If the DSW is alleging a cumulative trauma over a period of time, list the date of the most recent exposure. For example, if a DSW volunteer contracted pneumonia as a result of prolonged exposure working outside in bad weather, list the first date of the alleged exposure through the date symptoms were apparent.
5	Give as much detail as possible to describe the location of the accident. This information is helpful in determining if the incident occurred as alleged and if it occurred in the course of disaster service work, resulting in a covered injury.
6	It is important to describe all parts of the body believed to be injured. The supervising agency reserves the right to have an appropriate medical specialist address the probability of any injury resulting from an accident or activity, as alleged.
7	Enter the DSW volunteer's social security number.
8	<p>It is important that the DSW volunteer (or their representative) sign the claim form. In doing so, the DSW volunteer:</p> <ul style="list-style-type: none"> ▪ takes responsibility that the information provided is correct; and, ▪ acknowledges they have read and understand the fraud disclaimer printed at the top of the form.

Step 2: The injured DSW volunteer retains the copy marked *Employee's Temporary Receipt*. This is the DSW volunteer's receipt of record that the claim was filed with the supervising agency.

Step 3: Submit the signed form and the remaining copies to the team leader or supervisor within 3 days (or 72 hours) of receiving the form. This document is part of the claim package that will be sent to SCIF to initiate the claim process.

Supervising Agency - Instructions Section

Step 1: The team leader or supervisor completes the bottom section of the form (lines 9 through 19), in its entirety, and submits it to SCIF *within 5 days*⁵ after receiving it from the injured DSW volunteer.

Line	Instruction
9	Enter the name of the county/city and the agency where the DSW volunteer serves as a DSW (e.g., Sacramento County Sheriff's Department).
10	Enter the address of the facility listed on Line 9.
11	This information is very important. The supervising agency must indicate the exact date they had knowledge that the DSW volunteer was injured and that the injury may be disaster work related.
12	Indicate the exact date this claim form was provided to the DSW volunteer either by mail or in person. Accuracy is essential.
13	Indicate the exact date the DSW volunteer returned this claim form to the supervising agency.
14	All claims should be sent to the SCIF Sacramento office at the following address: State Compensation Insurance Fund, P.O. Box 659011, (2450 Venture Oaks Way, Suite 500,) Sacramento, CA 95865-9011, and copies sent to State OES.
15	Not applicable. Do not fill in this line.
16	The form should be signed by the team leader or supervisor to whom the injury was reported, or by the supervising agency's representative.
17-19	Enter the title, date and telephone number of the person whose signature appears on line 16.

Step 2: The team leader or supervisor separates the form and distributes it in the following manner:

- The original (top) copy is mailed to the State Compensation Insurance Fund office in Sacramento, P.O. Box 659011, (2450 Venture Oaks Way, Suite 500,) Sacramento, CA 95865-9011.
- *Employer's Copy* is faxed or mailed to the Governor's Office of Emergency Services, DSW Volunteer Program, P.O. Box 419047, Rancho Cordova, CA 95741-9047, and a copy retained by the county/city or sponsoring agency.
- *Employee's Copy* goes to the injured DSW volunteer.

⁵ Late reporting may result in penalties being paid from the DSW workers' compensation insurance, disaster relief fund.

(Insert SCIF 3301 here - Front side)

(Insert SCIF 3301 here - Back side)

SCIF FORM 3267 - Employer's Report of Injury (See pages 27-28)**Supervising Agency - Instructions****Step 1:**

This form is to be completed by the supervising agency ***within 5 days***⁶ of receiving knowledge that an injury occurred or is alleged. It is imperative this form be completed and submitted within the 5 day time frame. State Compensation Insurance Fund must send a letter to the claimant within 14 days of the injury.

Any supervising agency person having knowledge of the injury may complete this form. It is preferred that an authorized team leader or supervisor fills out the form, or someone who can answer questions regarding the claim if contacted by SCIF or OES. This form is ***not*** to be completed by the injured DSW volunteer.

Line	Instruction
1	Enter the name of the county/city and the agency where the volunteer serves as a DSW (e.g., Sacramento County Sheriff's Department).
1a	The policy number should be filled in as: <i>Dis Rel</i> (for disaster relief).
2-2a	Enter the complete address and telephone number (with area code) of the agency.
3	Enter the location, if different from line 2 above.
3a	Leave this blank. Not applicable.
4	Nature of business is <i>Disaster Services</i> .
5	Leave this blank. Not applicable.
6	This line has been completed for you.
7	Enter the full name of the DSW volunteer alleging injury.
8	Enter the DSW volunteer's social security number.
9	Enter the DSW volunteer's date of birth.
10-10a	Enter the DSW volunteer's complete home address and telephone number (with area code).
11	Indicate the gender of the DSW volunteer.
12	Enter the DSW volunteer's <u>Classification</u> and <u>Specialty</u> with the accredited disaster council.

⁶ Late reporting may result in penalties being paid from the DSW workers' compensation insurance, disaster relief fund.

Supervising Agency - Instructions (cont.)**Step 1:** (continued)

Line	Instruction
13	Enter the DSW volunteer's registration date. (Actual date the registration was signed.)
14	Enter the hours the DSW volunteer works at the DSW Classification entered on line 12, above. If not applicable, indicate N/A.
14a-16	Leave this blank. Not applicable.
17	Enter the date of injury or illness. Report as accurately as possible.
18	Enter the time of injury. Report as accurately as possible.
19	Enter the time the DSW volunteer began volunteer service that day.
20	If the injury resulted in death, indicate the date of death.
21-24	Indicate if the DSW volunteer missed one full day of volunteer work from the occupation (DSW Classification) indicated on line 12 as a result of the injury. If so, enter the last date worked and the date returned to volunteer work. If the DSW volunteer has not returned to volunteer work, check the box on line 24.
25-26	Leave this blank. Not applicable.
27	This information is very important. Indicate the exact date the supervising agency had knowledge that the DSW volunteer was injured and that the injury may be work related. This date <i>must</i> match the date entered on line 11 of the Employee's Claim for Workers' Compensation Benefits, SCIF Form 3301.
28	Enter the date the DSW volunteer was provided with an Employee's Claim for Workers' Compensation Benefits, SCIF Form 3301.
29	List the specific parts of the body that were injured. Report as accurately as possible.
30-30b	Enter the specific location, and the county where the injury or onset of illness occurred. Report as accurately as possible.
31	Complete only if the incident occurred in the facility.
32	Indicate if other workers or DSW volunteers were injured in the same incident.
33	List any dangerous chemicals or equipment that were being used that may have contributed to the injury.

Supervising Agency - Instructions (cont.)

Step 1: (continued)

Line	Instruction
34	Enter the activity the DSW volunteer was engaged in at the time of the injury or illness. Be as specific as possible.
35	Describe a brief and clear narrative of the events that led to and resulted in the injury or illness.
36-36a	If applicable, enter the name, address and phone number of the physician who treated the injured DSW volunteer.
37-37a	If the DSW volunteer was hospitalized, enter the name, address, and phone number of the hospital or facility.
38	Indicate if another person was responsible for the injury. If yes, give details on the reverse side of the SCIF form 3267.
39	Enter the name and address of the DSW volunteer’s current supervising agency for the DSW Classification indicated on line 12. (Lines 40-42 are on the back of the form.)
40	If employed, enter the regular, paid occupation (regular job title) of the DSW volunteer. Do not enter the DSW volunteer’s DSW classification or specialty.
41	Indicate if the volunteer was a registered DSW volunteer with an accredited Disaster Council, and if so, enter the name of that accredited Disaster Council (e.g., City of Sacramento).
42	Indicate if the injury arose from activities as a DSW volunteer.

Step 2: Bottom line - front side: Clearly print or type your name and title, and sign and date the form.

Step 3: Separate the form and distribute it in the following manner:

- The original (top) copy **and** the second copy are mailed to:
State Compensation Insurance Fund,
P.O. Box 659011, 2450 Ventura Oaks, 5th Floor, Sacramento, CA 95865-9011
- The third copy is faxed (if legible) or mailed to the Governor’s Office of Emergency Services, Planning & Technological Assistance Branch, Attn: DSW Volunteer Program Coordinator, P.O. Box 419047, Rancho Cordova, CA 95741-9047
- The fourth copy may be retained by the county/city or supervising agency.

(Insert SCIF 3267 - Front side)

(Insert SCIF 3267 - Back side)

WORKERS' COMPENSATION COVERAGE INFORMATION
Medical Treatment

When an injury occurs, the DSW volunteer must be referred to a medical provider for evaluation and treatment. If the injury requires emergency care, the supervising agency can select the most appropriate medical provider. If a non-emergency injury occurs, the DSW volunteer can be referred to his or her personal medical provider.

If the DSW volunteer has designated a medical provider or facility prior to the injury, treatment with that provider must be allowed. If no designation was made, the supervising agency has the authority to select a medical provider or facility.

The supervising agency *may* exercise control over medical treatment on a SCIF accepted injury for the first 30 days. If treatment goes beyond 30 days, the DSW volunteer has the right to select his or her own doctor.

Pre-existing medical condition

Insurance coverage for the DSWVP is "No Fault" coverage. The existence of, and the percentage of disability from any pre-existing condition is factored into the percentage of compensation coverage under the DSWVP.

Liability Determination

SCIF has the obligation to make a final decision to accept or deny the claim within 90 days of the supervising agency's knowledge of an alleged claim. The claimant and supervising agency would be notified upon determination. This process of determination may involve arranging for medical evaluations and conducting investigative interviews to properly assess the claim.

Acceptance: If within 90 days, SCIF determines that the claim has merit, the Governor's Office of Emergency Services (OES) will be notified of the decision. All retroactive benefits will be paid to the claimant.

SCIF will monitor all medical treatment resulting from the injury and report the status to OES.

Denial: If the claim is denied, SCIF will need to rely on the information provided by OES and the supervising agency, in addition to their own examinations and questions. It is necessary that all information on the claim forms is accurate.

Disputes and Delays

If the supervising agency has cause to dispute a claim:

- Immediately notify the SCIF Sacramento Office by phone or FAX. (Page 19)
 - Clearly address the issues on the SCIF Form 3267 - Employer's Report of Injury, line 42 (back side of form). Indicate specific reasons why the claim should be disputed. If this form has already been submitted, report the dispute in writing.
 - Provide SCIF with names of supervisors, witnesses and any other relevant information.
 - This does *not* remove the supervising agency's obligation to serve the injured DSW volunteer with the SCIF Form 3301 - Employee's Claim for Workers' Compensation Benefits.
 - If a supervising agency fails to properly respond to a claim after notification of an injury (even a claim the supervising agency may want to dispute), the claim will be deemed accepted after 90 days from the date of knowledge of injury.
-

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TITLE 19. PUBLIC SAFETY
DIVISION 2. OFFICE OF EMERGENCY SERVICES
CHAPTER 2. EMERGENCIES AND MAJOR DISASTERS
SUBCHAPTER 3. DISASTER SERVICE WORKER VOLUNTEER PROGRAM

§ 2570. Short Title.

This subchapter shall be known and may be cited as the Disaster Service Worker Volunteer Program (DSWVP) Regulations.

§ 2570.1. Purpose.

The Legislature has long provided a state-funded program of workers' compensation benefits for disaster service worker volunteers who contribute their services to protect the health and safety and preserve the lives and property of the people of the state. This program was established to protect such volunteers from financial loss as a result of injuries sustained while engaged in disaster service activities and to provide immunity from liability for such disaster service worker volunteers while providing disaster service.

NOTE

Authority cited: Sections 8587 and 8580, Government Code.
Reference: Section 8657, Government code, Sections 3211.9 through 3211.93a, Labor Code.

§ 2570.2. Definitions.

(a) Disaster Service Worker.

(1) A disaster service worker is any person registered with a disaster council or the Governor's Office of Emergency Services, or a state agency granted authority to register disaster service workers, for the purpose of engaging in disaster service pursuant to the California Emergency Services Act without pay or other consideration.

(2) Disaster service worker includes public employees, and also includes any unregistered person impressed into service during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of citizens in the execution of his or her duties.

(3) Exclusion: Disaster service worker does not include any member registered as an active fire fighting member of any regularly organized volunteer fire department, having official recognition, and full or partial support of the county, city, town or district in which such fire department is located.

(b) Disaster Service.

(1) Disaster service means all activities authorized by and carried on pursuant to the California Emergency Services Act, including approved and documented training necessary or proper to engage in such activities.

(2) Exclusion. Disaster service does not include any activities or functions performed by a person if the disaster council with which the person is registered receives a fee or other compensation for the performance of that person's activities or functions.

(c) Training. For purposes of these regulations, training is a planned activity sponsored by a disaster council (or designated agency or authority) and may include classroom instruction, disaster drills or exercises, or related activities that are designed to enhance the disaster response skills (including safety) of the disaster service worker.

(d) Disaster Council. A disaster council is a public agency established by ordinance which is empowered to register and direct the activities of disaster service workers within the area of the county, city, city and county, or any part thereof. In this respect, the disaster council is acting as an instrument of the state in aid of carrying out general state government functions and policy with regard to disaster services.

(e) Accredited Disaster Council. A disaster council may become accredited through certification by the California Emergency Council, or the Governor when the Emergency Council is not meeting, when the disaster council agrees to follow and comply with the rules and regulations established by the Emergency Council pursuant to the provisions of the Emergency Services Act. Upon certification, and not before, the disaster council becomes an accredited disaster council. A disaster council remains accredited only while the certification of the California Emergency Council is in effect and is not revoked.

(f) Auxiliary Fire Fighter. An auxiliary fire fighter is a person recruited, registered and trained as a supplement or reserve for unusual fire emergencies or disaster

situations. Workers' compensation benefits for auxiliary fire fighters may be provided by the state. An auxiliary fire fighter is not a "volunteer fire fighter," who is a person recruited and trained to meet the day-to-day operational requirements of a fire department. Workers' compensation insurance premiums for the volunteer fire fighter are the responsibility of the local government or fire entity.

(g) Public Employee. All persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed, are considered to be public employees.

(h) Convergent Volunteers. Convergent volunteers are individuals that come forward to offer disaster response and recovery volunteer services, during a disaster event. Convergent volunteers are not persons impressed into service at the scene of an incident.

NOTE

Authority cited: Sections 8567 and 8580, Government Code.
Reference: Sections 8581, 8610 and 8612, Government Code;
Sections 3100, 3211.9, 3211.91, 3211.92, 3211.93 and 3211.93a,
Labor Code.

§ 2571. Accredited Disaster Council.

(a) Disaster councils shall be accredited in accordance with Sections 8581 (b) or 8612, Government Code.

(b) When applying for accreditation, disaster councils shall furnish the Governor's Office of Emergency Services with a certified copy of the ordinance which has provided for the following:

- (1) a disaster council;
- (2) a Chairperson or director of the disaster council;
- (3) an Emergency organization; and,
- (4) compliance with the Emergency Services Act.

NOTE

Authority cited: Sections 8567 and 8580, Government Code.
Reference: Sections 8579 (g), 8581 (b), and 8612, Government Code.

§ 2572.1. Classifications and General Duties.

The various classifications of disaster service workers and the general duties of the members of each classification shall be limited to those described below.

(a) Animal Rescue, Care and Shelter. Veterinarians, veterinary support staff and animal handlers providing skills in the rescue, clinical treatment, and transportation of all animals, including but not limited to companion animals, livestock, poultry, fish, exhibition animals, zoo animals, laboratory and

research animals, and wildlife; assisting in the procurement of shelters, equipment, and supplies; documenting arrival, sheltering, treatment, and discharge or placement of animals.

(b) Communications. Install, operate and maintain various communications systems and perform related service, to assist officials and individuals in the protection of life and property.

(c) Community Emergency Response Team Member. Under the direction of emergency personnel or a designated team leader, assist emergency units within their block, neighborhood, or other area assignment; survey area conditions; disseminate information; secure data desirable for emergency preparedness planning; report incidents; and generally assist officials and individuals in the protection of life and property.

(d) Finance and Administrative Staff. Perform executive, administrative, technical, financial and clerical functions for the emergency organization.

(e) Human Services. Assist in providing food, clothing, bedding, shelter, and rehabilitation aid; register evacuees to promote reuniting families and to support the needs of special populations; compile authoritative lists of deceased and missing persons; and other phases of emergency human services, such as maintaining morale and administering to the mental health, religious or spiritual needs of persons suffering from the effects of the disaster.

(f) Fire. As auxiliary fire fighters or auxiliary wildland fire fighters, assist regular fire fighting forces or fire protection agencies to fight fire, rescue persons, and save property; control forest or wildland fires or fire hazards; instruct residents in fire prevention and property defense methods, methods of detecting fire, and precautions to be observed in reducing fire hazards.

(1) For purposes of these regulations only, the ratios between auxiliary fire fighters, volunteer fire fighters, and paid fire fighters shall be one auxiliary for one volunteer and three volunteers for one paid fire fighter. The basis for applying these ratios is that the staffing of an engine company, truck company, or a squad shall not exceed six paid fire fighters, and a salvage and rescue company shall not exceed two paid fire fighters. A fire department that has no volunteer fire fighters is limited to three auxiliary fire fighters for each paid fire fighter in the companies and squads, staffed as above. These staffing standards are based on the number of first line (not reserve) apparatus operated by the fire department.

(2) When auxiliary fire fighters are registered with other than an established fire service organization; for example, auxiliary fire fighters in a county or city emergency management services organization, a total number of eligible auxiliary fire fighters shall be computed for that city or unincorporated area. The emergency management services organization is entitled to register auxiliary fire fighters not otherwise registered with other established fire service organizations, and to a number not to exceed the allowable total as indicated in Section 2572.1 (f) (1), above.

(g) Laborer. Under the direction and supervision of the responding agency, performs general labor services and supports emergency operations.

(h) Law Enforcement. As Auxiliaries, assist law enforcement officers and agencies to protect life and property; maintain law and order; perform traffic control duties; guard buildings, bridges, factories, and other facilities; isolate and report unexploded ordnance.

(i) Logistics. Under the direction of the emergency organization, assist in procurement, warehousing, and release of supplies, equipment materials, or other resources. Assist in mobilization and utilization of public and private transportation resources required for the movement of persons, materials, and equipment.

(j) Medical and Environmental Health. Staff casualty stations, establish and operate medical and public health field units; assist in hospitals, out-patient clinics, and other medical and public health installations; maintain or restore environmental sanitation; assist in preserving the safety of food, milk, and water and preventing the spread of disease; perform laboratory analysis to detect the presence and minimize the effects of nuclear, chemical, biological, radiological or other hazardous agents.

(k) Safety Assessment Inspector. Survey, evaluate and assess damaged facilities for continued occupancy or use; assist in emergency restoration of facilities for utilities, transportation, and other vital community services; and provide recommendations regarding shoring or stabilization of damaged or unsafe buildings or structures.

(l) Search and Rescue. Under the direction of the appropriate authority, perform search and rescue operations in one or more of several areas including: search and rescue; urban search and rescue; or mine and confined space rescue.

(m) Utilities. Assist utility personnel in the repair and restoration of public utilities damaged by disaster.

NOTE

Authority cited: Sections 8587 and 8580, Government Code.
Reference: Section 8580, Government Code.

§ 2572.2. Scope Of Disaster Service Duties.

Each disaster service worker in any classification shall, without regard to a formal designation or assignment, be considered to be acting within the scope of disaster service duties while assisting any unit of the emergency organization or performing any act contributing to the protection of life or property, or mitigating the effects of an emergency or potential emergency either:

(a) under the authorization of a duly constituted superior in the emergency organization; or,

(b) under the supervision and direction of the American Red Cross while carrying out its programs in consonance with state and local statements of understanding, or in carrying out a mission assigned to that agency by a responsible state or local authority.

NOTE

Authority: Sections 8567 and 8580, Government Code. Reference: Section 8580, Government Code.

§ 2573.1 Registration and Training.

(a) Registration. A person shall be deemed to be registered if the following information is on file with the Governor's Office of Emergency Services or with the appropriate authority as indicated in Section 2573.2:

(1) name of registrant;

(2) address of registrant;

(3) date enrolled (established as the date the loyalty oath is administered);

(4) classification of disaster service to which the volunteer is assigned; and,

(5) a signed statement that the loyalty oath or affirmation was taken or subscribed before an officer authorized to administer oaths.

(b) Training.

(1) Disaster councils may require each person registered as a disaster service worker to satisfactorily complete a course of training or instruction, including periodic refresher training. If warranted by the classification, disaster councils may require documented proof of professional certification or licensing.

(2) The disaster council (or designated agency or authority) shall ensure disaster training is approved, documented and supervised, and shall ensure disaster training is commensurate with the duties of the disaster service worker.

(3) Exclusions: Unless the volunteer is directly providing disaster services, activities that are not covered include parades, public exhibitions, physical fitness training or other training activities not related to disaster service.

NOTE Authority cited: Sections 8567 and 8580, Government Code.
Reference: Section 8580, Government Code.

§ 2573.2 File Retention and Recordkeeping.

(a) Documented proof of the oath or affirmation of any disaster service worker is an integral part of an injury claim for workers' compensation. File retention should follow the same rules as other public personnel records. The oath or affirmation shall be filed as follows:

(1) State. File as prescribed by the State Department of Personnel Administration within 30 days of the date it was taken or subscribed.

(2) County. File in the office of the county clerk. The oath may also be filed in either the office of the county auditor or in the office of the clerk of the board of supervisors.

(3) City. File in the office of the city clerk.

(4) Other Agencies or Districts. File with an agency or district designated officer or employee,

(b) All registration records shall be available for inspection by any officer or employee of the State Compensation Insurance Fund or of the Governor's Office of Emergency Services.

(c) The personnel officer or other individual designated by the disaster council shall be responsible for keeping the registration current, and for the accuracy and safekeeping of the official registration records.

(d) The California Emergency Council may prescribe additional registration requirements as it may deem necessary.

NOTE Authority cited: Sections 8567 and 8580, Government Code.
Reference: Section 3105, Government Code.

§ 2573.3 Workers' Compensation Claims.

(a) Claim Packages. Workers' compensation claims for injuries sustained by disaster service workers while

performing disaster service, shall be filed under the same authorities and guidelines as claims filed by paid employees. The claim shall include:

(1) the appropriate claim and employer's report of injury forms as prescribed by the State Compensation Insurance Fund;

(2) a written narrative account of the incident that may include witness statements; and,

(3) a copy of the claimant's current disaster service worker registration form indicating the loyalty oath or affirmation was administered.

(b) Convergent Volunteers. For purposes of obtaining workers' compensation benefits through the disaster service worker program, convergent volunteers will be eligible when the requirements of disaster service worker are met in accordance with these regulations.

NOTE
Authority cited: Sections 8567 and 8580, Government Code.
Reference: Section 3211.92, Labor Code; Sections 5400 et seq., Labor Code and Section 3102, Government Code.

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Alameda	12/19/46	03/25/1853
Alameda	06/24/47	04/19/1854
Albany	06/24/47	09/22/1908
Berkeley	12/19/46	04/01/1878
Dublin		02/01/1982
Emeryville	06/16/49	12/08/1896
Fremont	02/01/57	01/23/1956
Hayward	11/29/50	03/11/1876
Livermore	04/27/48	04/01/1876
Newark	02/01/57	09/22/1955
Oakland	12/19/46	05/04/1852
Piedmont	04/27/48	01/31/1907
Pleasanton	06/26/49	06/13/1894
San Leandro	04/27/48	03/21/1872
Union City	12/12/60	01/26/1959
Alpine	12/19/46	03/16/1864
Amador	06/24/47	05/11/1854
Amador	05/15/51	06/02/1915
lone	01/26/54	03/23/1953
Jackson	06/15/51	12/14/1905
Plymouth	06/15/51	02/08/1917
Sutter Creek	09/12/50	02/11/1913
Butte	12/19/46	02/18/1850
Biggs	06/15/51	06/26/1903
Chico	09/12/50	01/08/1872
Gridley	06/16/49	11/23/1905
Oroville	06/24/47	01/03/1906
Paradise	10/08/85	11/27/1979
Calaveras	09/12/50	02/18/1850
Angels Camp	11/29/50	01/24/1912
Colusa	12/19/46	02/18/1850
Colusa	06/15/51	04/04/1870
Williams	06/15/51	05/19/1920
Contra Costa	12/19/46	02/18/1850
Antioch	06/16/49	02/06/1872
Brentwood	09/12/50	01/21/1948
Clayton	10/27/83	03/18/1964
Concord	09/12/50	02/09/1905
Danville	10/08/85	07/01/1982
El Cerrito	06/16/49	08/23/1917
Hercules	06/23/52	12/15/1900
Lafayette	08/14/69	07/22/1968
Martinez	06/16/49	04/01/1864
Moraga	10/08/85	11/12/1974
Orinda	08/16/89	07/01/1985
Pinole	06/16/49	06/25/1903
Pittsburg	05/01/51	06/25/1903
Pleasant Hill	07/11/62	11/16/1961
Richmond	06/24/47	08/16/1905
San Pablo	09/12/50	04/27/1948
San Ramon	08/16/89	07/01/1983
Walnut Creek	11/29/50	10/20/1914
Del Norte	06/24/47	03/02/1857
Crescent City	06/16/49	04/13/1854
El Dorado	12/19/46	02/18/1850
Placerville	11/29/50	05/13/1854
South Lake Tahoe	09/14/67	03/30/1965
Fresno	04/27/48	04/19/1856
Clovis	06/16/49	02/27/1912
Coalinga	03/01/51	04/03/1906
Firebaugh	01/26/54	09/17/1914
Fowler	09/12/50	06/15/1908

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Fresno	09/12/50	10/2/1885
Huron	01/26/54	05/03/1951
Kerman	05/01/51	07/02/1946
Kingsburg	06/20/55	05/19/1908
Mendota	06/15/51	06/17/1942
Orange Cove	11/29/50	01/20/1948
Parlier	11/29/50	11/15/1921
Reedley	06/15/51	02/18/1913
San Joaquin	05/01/51	05/25/1911
Sanger	01/23/52	02/14/1920
Selma	07/07/50	03/15/1893
Glenn	03/01/51	03/11/1891
Orland	06/15/51	11/11/1909
Willows	05/01/51	01/16/1886
Humboldt	03/07/50	05/12/1853
Arcata	11/29/50	02/02/1858
Blue Lake	01/23/52	04/23/1910
Eureka	03/07/50	04/18/1856
Ferndale	06/16/49	08/28/1893
Fortuna	03/07/50	02/20/1906
Rio Dell	10/27/65	02/26/1965
Trinidad	01/27/58	11/07/1870
Imperial	12/19/46	08/15/1907
Brawley	03/07/50	04/16/1908
Calexico	09/12/50	04/16/1908
Calipatria	04/30/57	02/28/1919
El Centro	06/24/47	04/16/1908
Holtville	11/29/50	07/01/1908
Imperial	03/07/50	07/12/1904
Westmorland	11/29/50	06/30/1934
Inyo	12/19/46	03/22/1856
Bishop	11/29/50	05/06/1903
Kern	06/12/46	04/02/1866
Arvin	10/18/61	12/21/1960
Bakersfield	06/16/49	01/11/1898
California City	12/09/66	12/08/1965
Delano	11/29/50	04/13/1915
Maricopa	11/29/50	07/25/1911
McFarland	06/25/58	07/18/1957
Ridgecrest	10/08/85	11/29/1963
Shafter	06/24/47	01/20/1938
Taft	11/29/50	11/22/1910
Tehachapi	11/29/50	08/13/1909
Wasco	06/16/49	12/22/1945
Kings	06/24/47	03/22/1893
Avenal	06/16/82	09/08/1979
Corcoran	06/16/49	08/06/1907
Hanford	06/24/47	08/12/1891
Lemoore	05/01/51	08/04/1900
Lake	04/27/48	05/20/1861
Clear Lake	02/26/87	11/14/1980
Lakeport	03/01/51	04/30/1888
Lassen	12/19/46	04/01/1864
Susanville	05/01/51	08/24/1900
Los Angeles	06/12/46	02/18/1850
Agoura Hills	10/08/85	11/08/1982
Alhambra	06/24/47	07/11/1903
Arcadia	06/16/49	08/05/1903
Artesia	11/09/59	05/29/1959
Avalon	11/29/50	06/26/1913
Azusa	06/16/49	12/29/1898
Baldwin Park	05/24/57	01/25/1956
Bell	01/24/47	11/07/1927
Bell Gardens	08/05/65	08/01/1961
Bellflower	01/16/63	09/03/1957

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Beverly Hills	06/24/47	01/29/1914
Bradbury	12/12/60	07/26/1957
Burbank	12/19/46	07/15/1911
Calabasas	03/01/94	04/05/1991
Carson	08/14/69	02/19/1968
Cerritos	04/15/68	04/24/1956
Claremont	06/24/47	10/03/1907
Commerce	04/10/63	01/28/1960
Compton	06/16/49	05/11/1888
Covina	09/12/50	08/14/1901
Cudahy	10/08/85	11/10/1960
Culver City	06/16/49	09/20/1917
Diamond Bar	01/28/92	04/18/1989
Downey	06/25/58	12/17/1956
Duarte	11/09/59	08/22/1957
El Monte	06/16/49	11/18/1912
El Segundo	06/16/49	01/18/1917
Gardena	06/24/47	09/11/1930
Glendale	12/19/46	02/15/1906
Glendora	11/29/50	11/13/1911
Hawaiian Gardens	03/22/73	04/09/1964
Hawthorne	06/16/49	07/12/1922
Hermosa Beach	06/24/47	01/10/1907
Hidden Hills	01/09/79	10/19/1961
Huntington Park	06/12/46	09/01/1906
Industry		06/18/1957
Inglewood	06/16/49	02/14/1908
Irwindale	04/10/63	08/06/1957
La Canada Flintridge	01/09/72	11/30/1976
La Habra Heights	11/14/79	12/04/1978
La Mirada	10/31/63	03/23/1960
La Puente	12/04/61	11/21/1977
La Verne	06/16/49	08/20/1906
Lakewood	08/14/59	04/16/1954
Lancaster	11/14/79	11/21/1977
Lawndale	04/25/66	12/28/1959
Lomita	01/14/65	06/25/1964
Long Beach	12/19/46	12/13/1897
Los Angeles	12/19/46	04/04/1850
Lynwood	06/16/49	07/16/1921
Malibu	03/01/94	03/28/1991
Manhattan Beach	06/16/49	12/07/1912
Maywood	06/24/47	09/02/1924
Monrovia	06/16/49	12/15/1887
Montebello	12/19/46	10/16/1920
Monterey Park	07/07/50	05/29/1916
Norwalk	10/18/61	08/26/1957
Palmdale	05/24/63	08/24/1962
Palos Verdes Estates	04/30/57	12/20/1939
Paramount	05/08/59	01/30/1957
Pasadena	06/24/47	06/19/1886
Pico Rivera	06/24/59	01/29/1958
Pomona	06/12/46	01/06/1888
Rancho Palos Verdes	11/25/74	09/04/1973
Redondo Beach	11/29/50	04/29/1882
Rolling Hills	08/14/59	01/24/1957
Rolling Hills Estates	10/31/63	09/18/1957
Rosemead	04/25/66	08/04/1959
San Dimas	04/10/63	08/04/1960
San Fernando	09/12/50	08/31/1911
San Gabriel	06/16/49	08/24/1913
San Marino	11/29/50	04/25/1913
Santa Clarita	08/16/89	12/15/1987
Santa Fe Springs	06/24/59	05/15/1957
Santa Monica	12/19/46	12/09/1896
Sierra Madre	06/16/49	02/07/1907
Signal Hill	06/24/47	04/22/1924
South El Monte	09/03/64	07/30/1958
South Gate	06/16/49	01/20/1923
South Pasadena	06/24/47	03/02/1888
Temple City	09/14/67	05/25/1960
Torrance	09/12/50	05/12/1921
Vernon	07/16/51	09/22/1905
Walnut	08/14/59	01/19/1959
West Covina	11/29/50	02/17/1923

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
West Hollywood	02/26/87	11/29/1984
Westlake Village	10/08/85	12/11/1981
Whittier	06/16/49	02/25/1898
Madera	09/12/50	03/11/1893
Chowchilla	03/01/51	02/07/1923
Madera	09/12/50	03/27/1903
Marin	12/19/46	02/18/1850
Belvedere	09/12/50	12/24/1896
Corte Madera	07/16/51	06/10/1916
Fairfax	06/16/49	03/02/1931
Larkspur	05/01/51	03/17/1908
Mill Valley	06/16/49	05/25/1900
Novato	06/30/72	01/20/1960
Ross	09/12/50	08/21/1908
San Anselmo	06/24/47	04/09/1907
San Rafael	06/16/49	02/18/1874
Sausalito	09/12/50	09/94/1893
Tiburon	12/09/66	06/23/1964
Mariposa	05/01/51	02/18/1850
Mendocino	12/19/46	02/18/1850
Fort Bragg	09/12/50	08/05/1889
Point Arena		07/11/1908
Ukiah	09/12/50	03/08/1876
Willits	05/01/51	11/19/1888
Merced	09/12/50	04/19/1855
Atwater	06/15/51	08/16/1922
Dos Palos	06/15/51	05/04/1935
Gustine	09/12/50	11/11/1915
Livingston	03/01/51	09/13/1922
Los Banos	06/16/49	05/08/1907
Merced	11/29/50	04/03/1889
Modoc	06/24/47	02/17/1874
Alturas	01/27/58	09/16/1901
Mono	06/16/49	04/24/1861
Mammoth Lakes	02/26/87	03/21/1893
Monterey	12/01/14	02/18/1850
Carmel-By-The-Sea	06/16/49	10/31/1916
Del Rey Oaks	12/09/66	09/03/1953
Gonzales	05/01/51	01/14/1947
Greenfield	03/01/51	01/07/1947
King City	06/16/49	02/09/1911
Marina	05/13/77	11/12/1975
Monterey	06/16/49	06/14/1889
Pacific Grove	06/16/49	07/05/1889
Salinas	06/16/49	03/04/1874
Sand City	10/27/83	05/31/1960
Seaside	03/15/55	10/13/1954
Soledad	06/16/49	03/09/1921
Napa	06/16/49	02/18/1850
American Canyon	11/21/97	01/01/1992
Calistoga	06/15/51	01/06/1886
Napa	06/16/49	03/23/1872
Saint Helena	06/16/49	03/24/1876
Yountville		02/01/1965
Nevada	03/01/51	04/25/1851
Grass Valley	09/12/50	04/15/1861
Nevada City	06/15/51	04/19/1856
Truckee		03/23/1993
Orange	12/19/46	03/11/1889
Anaheim	12/19/46	03/18/1878
Brea	06/16/49	02/23/1917
Buena Park	03/15/55	01/27/1953
Costa Mesa	03/15/55	06/29/1953
Cypress	01/27/58	07/24/1956

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Dana Point		01/01/1989
Fountain Valley	04/10/63	06/13/1957
Fullerton	12/19/46	02/15/1904
Garden Grove	01/27/58	06/18/1956
Huntington Beach	06/16/49	02/17/1909
Irvine	12/07/77	12/28/1971
La Habra	03/01/51	01/20/1925
La Palma	01/27/58	10/26/1955
Laguna Beach	06/24/47	06/29/1927
Laguna Hills		12/20/1991
Laguna Niguel		12/01/1989
Lake Forest		12/20/1991
Los Alamitos	04/15/68	03/01/1960
Mission Viejo	01/28/92	03/31/1988
Newport Beach	12/19/46	09/01/1906
Orange	06/16/49	04/06/1888
Placentia	06/16/49	12/02/1926
San Clemente	06/16/49	02/28/1928
San Juan Capistrano	06/30/70	04/19/1961
Santa Ana	06/16/49	06/12/1886
Seal Beach	06/16/49	10/27/1915
Stanton	05/23/58	06/04/1956
Tustin	06/16/49	09/21/1927
Villa Park	12/07/77	01/11/1962
Westminster	07/27/58	03/27/1957
Yorba Linda	06/30/70	11/02/1967
Placer	03/07/50	04/25/1851
Auburn	06/16/49	05/02/1888
Colfax	12/19/46	02/23/1910
Lincoln	09/12/50	08/07/1890
Loomis		12/17/1984
Rocklin	03/01/51	02/24/1893
Roseville	06/24/47	04/10/1909
Plumas	12/18/46	03/18/1854
Portola	11/29/50	05/16/1946
Riverside	12/19/46	03/11/1893
Banning	07/07/50	02/06/1913
Beaumont	12/19/46	11/18/1912
Blythe	03/01/51	07/21/1916
Calimesa		12/01/1990
Canyon Lake	11/21/97	12/01/1990
Cathedral City	10/08/85	11/16/1981
Coachella	11/29/50	12/13/1946
Corona	12/19/46	07/13/1896
Desert Hot Springs	02/24/64	09/24/1963
Hemet	06/16/49	01/20/1910
Indian Wells	03/30/72	07/07/1967
Indio	09/12/50	05/16/1930
Lake Elsinore	06/16/49	04/20/1988
La Quinta	10/08/85	05/01/1981
Moreno Valley	03/01/94	12/03/1984
Murrieta	03/01/94	07/01/1991
Norco	06/19/67	12/23/1964
Palm Desert	05/13/77	12/16/1973
Palm Springs	12/19/46	04/20/1938
Perris	09/12/50	05/26/1911
Rancho Mirage	04/08/75	07/17/1973
Riverside	04/27/48	10/11/1883
San Jacinto	11/29/50	04/20/1888
Temecula	11/21/97	12/01/1989
Sacramento	12/19/46	02/18/1850
Citrus Heights		01/01/1997
Folsom	11/29/50	04/20/1946
Galt	09/12/50	08/16/1946
Isleton	06/16/49	05/14/1923
Sacramento	06/24/47	02/27/1850
San Benito	12/19/46	02/12/1874
Hollister	01/23/52	03/26/1874
San Juan Bautista	06/24/47	05/04/1896

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
San Bernardino	12/19/46	04/26/1853
Adelanto	03/30/72	12/22/1970
Apple Valley	01/28/92	11/28/1988
Barstow	06/16/49	09/30/1947
Big Bear Lake	06/16/82	11/24/1980
Chino	06/16/49	03/05/1910
Chino Hills	11/21/97	12/01/1991
Colton	06/16/49	07/20/1887
Fontana	02/28/53	06/25/1952
Grand Terrace	06/27/79	11/30/1978
Hesperia	04/18/90	05/23/1988
Highland	03/12/90	11/23/1987
Loma Linda	05/13/77	09/29/1970
Montclair	04/30/57	04/25/1956
Needles	06/15/51	10/0/1913
Ontario	06/16/49	12/10/1891
Rancho Cucamonga	06/16/82	11/22/1977
Redlands	04/27/48	12/07/1888
Rialto	03/07/50	11/17/1911
San Bernardino	06/16/49	08/10/1869
Twentynine Palms	08/16/89	11/23/1987
Upland	04/27/48	05/15/1906
Victorville	07/19/63	09/21/1962
Yucaipa	12/05/97	11/27/1989
Yucca Valley		11/27/1991
San Diego	22/19/46	02/18/1850
Carlsbad	01/26/54	07/16/1952
Chula Vista	06/16/49	10/26/1911
Coronado	12/19/46	07/13/1896
Del Mar	10/18/61	07/15/1959
El Cajon	06/24/47	11/20/1912
Encinitas	11/10/87	10/01/1986
Escondido	11/29/50	10/08/1888
Imperial Beach	06/24/58	07/18/1956
La Mesa	09/12/50	02/16/1912
Lemon Grove	01/09/79	07/01/1977
National City	06/16/49	07/28/1887
Oceanside	06/16/49	07/12/1888
Poway	03/10/82	12/01/1980
San Diego	12/19/46	03/27/1850
San Marcos	07/19/63	01/28/1963
Santee	03/10/82	12/01/1980
Solana Beach	08/16/89	07/01/1986
Vista	08/05/65	01/28/1963
San Francisco (City & County)	12/19/46	02/18/1850
San Joaquin	07/07/50	02/18/1850
Escalon	05/08/59	03/12/1957
Lathrop		07/01/1989
Lodi	09/12/50	12/06/1906
Manteca	11/29/50	06/05/1918
Ripon	09/12/50	11/17/1945
Stockton	06/16/49	07/23/1850
Tracy	06/16/49	07/22/1910
San Luis Obispo	12/19/46	02/18/1850
Arroyo Grande	03/01/51	06/11/1911
Atascadero	02/26/87	07/02/1972
Grover Beach	12/04/61	12/21/1959
Morro Bay	04/25/66	07/15/1964
Paso Robles	08/11/52	03/11/1889
Pismo Beach	05/01/51	04/25/1946
San Luis Obispo	05/01/51	02/19/1856
San Mateo	05/01/51	04/19/1856
Atherton	06/16/49	09/12/1923
Belmont	06/16/49	10/29/1926
Brisbane	07/11/62	11/27/1961
Burlingame	06/24/47	06/06/1908
Colma	06/15/51	08/05/1924
Daly City	06/24/47	03/21/12911
East Palo Alto		01/01/1983
Foster City	08/20/73	04/27/1971

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Half Moon Bay	12/09/66	07/15/1959
Hillsborough	05/24/47	05/05/1910
Menlo Park	06/16/49	11/23/1927
Millbrae	11/29/50	01/14/1948
Pacifica	05/23/58	11/21/1957
Portola Valley	10/08/85	07/14/1964
Redwood City	06/16/49	03/27/1868
San Bruno	06/16/49	12/23/1914
San Carlos	06/24/47	07/08/1925
San Mateo	12/19/46	09/04/1894
South San Francisco	06/16/49	09/19/1908
Woodside	01/27/58	11/16/1956
Santa Barbara	12/19/46	02/18/1850
Buellton	03/01/94	02/01/1992
Carpinteria	06/19/67	09/28/1965
Guadalupe	06/15/51	08/03/1946
Lompoc	05/01/51	08/13/1888
Santa Barbara	06/24/47	04/09/1850
Santa Maria	06/16/49	09/20/1905
Solvang	07/30/86	05/01/1985
Santa Clara	12/19/46	02/18/1850
Campbell	12/11/52	03/28/1952
Cupertino	01/27/58	10/10/1955
Gilroy	05/01/51	03/12/1870
Los Altos	09/06/55	12/01/1952
Los Altos Hills	04/16/64	01/27/1956
Los Gatos	06/16/49	08/10/1887
Milpitas	03/15/55	01/26/1954
Monte Sereno	01/14/65	05/14/1957
Morgan Hill	05/01/51	11/10/1906
Mountain View	06/16/49	11/07/1902
Palo Alto	06/24/47	04/23/1894
San Jose	06/24/47	03/27/1850
Santa Clara	06/24/47	07/05/1852
Saratoga	05/08/59	10/22/1956
Sunnyvale	06/24/47	12/24/1912
Santa Cruz	12/19/46	02/18/1850
Capitola	07/07/50	01/11/1949
Santa Cruz	12/19/46	03/31/1866
Scotts Valley	08/14/69	08/02/1966
Watsonville	09/12/50	03/30/1868
Shasta	03/01/51	02/18/1850
Anderson	02/01/57	01/16/1956
Redding	11/29/50	10/04/1887
Shasta Lake		07/02/1993
Sierra	12/19/46	04/16/1852
Loyalton	06/16/49	09/21/1901
Siskiyou	03/01/51	03/22/1852
Dorris	01/27/58	12/23/1908
Dunsmuir	11/29/50	08/07/1909
Etna	01/27/58	03/13/1878
Fort Jones	09/16/74	03/16/1872
Montague	04/30/57	01/28/1909
Mount Shasta	01/23/52	05/31/1905
Weed	04/25/66	01/25/1961
Yreka	11/29/50	04/21/1857
Solano	06/24/47	02/18/1850
Benicia	06/16/49	03/27/1850
Dixon	09/12/50	03/30/1878
Fairfield	11/29/50	12/12/1903
Rio Vista	11/29/50	01/06/1894
Suisun City	11/29/50	10/09/1868
Vacaville	11/29/50	08/09/1892
Vallejo	06/24/47	03/30/1868
Sonoma	12/19/46	02/18/1850
Cloverdale	06/16/49	02/28/1872
Cotati	01/14/65	07/16/1963

California Accredited Disaster Councils as of 7/6/2000

County	Date Accredited	Date Incorporated
Healdsburg	06/16/49	02/20/1867
Petaluma	06/16/49	04/12/1858
Rohnert Park	07/19/63	08/27/1962
Santa Rosa	04/27/48	03/16/1868
Sebastopol	11/29/50	06/13/1902
Sonoma	09/12/50	06/22/1900
Windsor	11/21/97	07/01/1992
Stanislaus	12/19/46	04/01/1854
Ceres	06/23/52	02/26/1918
Hughson	06/06/74	11/30/1972
Modesto	05/01/51	08/06/1884
Newman	06/16/51	06/10/1908
Oakdale	11/29/50	11/24/1906
Patterson	05/01/51	12/24/1919
Riverbank	05/01/51	08/23/1922
Turlock	07/07/50	02/15/1908
Waterford	03/22/73	11/07/1969
Sutter	12/19/46	02/18/1850
Live Oak	06/15/51	01/22/1947
Yuba City	06/24/47	01/23/1908
Tehama	12/19/46	04/09/1856
Corning	11/29/50	08/06/1907
Red Bluff	05/01/51	03/31/1876
Tehama	05/08/59	07/05/1906
Trinity	12/19/46	02/18/1850
Tulare	09/12/50	04/20/1852
Dinuba	06/16/49	01/06/1906
Exeter	11/29/50	03/02/1911
Farmersville	04/16/64	10/05/1960
Lindsay	09/12/50	03/05/1910
Porterville	06/24/47	05/07/1902
Tulare	04/27/48	04/12/1888
Visalia	06/16/49	02/27/1874
Woodlake	11/29/50	09/23/1941
Tuolumne	06/24/47	02/18/1850
Sonora	06/15/51	05/01/1851
Ventura	12/19/46	03/22/1872
Camarillo	07/27/70	10/22/1964
Fillmore	06/16/49	06/10/2914
Moorpark	08/16/89	07/01/1983
Ojai	06/16/49	08/05/1921
Oxnard	07/07/50	06/30/1903
Port Hueneme	09/12/50	03/24/1948
San Buenaventura	06/24/47	04/02/1866
Santa Paula	09/12/50	04/22/1902
Simi Valley	03/13/74	10/10/1969
Thousand Oaks	03/30/72	10/07/1964
Yolo	06/24/47	02/18/1850
Davis	09/22/50	03/28/1917
West Sacramento	08/16/89	01/01/1987
Winters	11/29/50	02/09/1898
Woodland	06/16/49	03/24/1874
Yuba	12/19/46	02/18/1850
Marysville	11/29/50	02/05/1851
Wheatland	11/29/50	04/12/1874

SAMPLE LETTER SENT BY STATE OES TO A NEWLY INCORPORATED CITY

Governor's Office of Emergency Services
Address

Date

Name, Title
Address

Dear _____,

The Governor's Office of Emergency Services (OES) has been notified that _____ (city) has recently become an established city in _____ county. The Emergency Services Act requires cities to prepare an Emergency Ordinance and a Disaster Worker Resolution to become an accredited Local Disaster Council. It also states that cities must provide the OES with certified copies of the above ordinances which address the following four items:

1. The ordinance must provide for the existence of a Disaster Council
2. A chairperson or director of the Disaster Council must be specified.
3. The emergency management organization must be recognized.
4. Compliance with the Emergency Services Act must be stated.

Enclosed are suitable model ordinances for both cities and counties. These documents are essential to providing your city emergency powers, resources, and protection during times of disaster.

The Emergency Ordinance provides the legal basis for your city's emergency organization. It designates and describes powers of the Director of the Emergency Services as well as the powers and composition of the Local Emergency Council.

The Workers' Compensation resolution allows the city to participate in the State Workers' Compensation Program to protect duly registered Disaster Service Workers. Without participation in this critical aspect, the use of volunteers during an emergency could be exposing your city to increased liability.

Both the ordinance and resolutions must be submitted to the Governor or the State Emergency Council in order for your Local Emergency Council to be accredited. Accreditation permits your city to duly register Disaster Service Workers as defined by law.

Signing the Master Mutual Aid agreement enables your city to participate in the statewide Mutual Aid system. This reciprocal agreement permits your city to receive and send emergency personnel, equipment, and facilities needed during times of disaster without the expectation of reimbursement.

In view of the important nature of these documents, we wish to assist you in gaining accreditation for your local emergency council and recording your participation in the statewide Master Mutual Aid system.

Please submit the documents to your regional Office of Emergency Services office so that we can forward them to the Governor for approval.

“Sample Emergency Ordinance Documents”

**CITY ORDINANCE RELATING TO EMERGENCY
ORGANIZATION AND FUNCTIONS**

The City Council of the city of _____ does ordain as follows:

Section 1 - PURPOSES

The declared purposes of this ordinance are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations, and affected private persons.

Section 2 - DEFINITION

As used in this ordinance, “emergency” shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities for this city, requiring the combined forces of other political subdivisions to combat.

Section 3 - DISASTER COUNCIL MEMBERSHIP

The _____ **(name of city)** Disaster Council is hereby created and shall consist of the following:

- A. The mayor, who shall be chairman.
- B. The director of emergency services, who shall be vice chairman¹.
- C. The assistant director of emergency services².
- D. Such chiefs of emergency services as are provided for in a current emergency plan of this city, adopted pursuant to this ordinance³.
- E. Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council.

Section 4 - DISASTER COUNCIL POWERS AND DUTIES

It shall be the duty of the _____ **(name of city)** Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as

“Sample Emergency Ordinance Documents”

are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the chairperson or, in his or her absence from the city or inability to call such meeting, upon call of the vice chairperson.

Section 5 - DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES

- A. There is hereby created the office of director of emergency services. The _____ (**city manager, chief administrative officer, or mavor**) shall be the director of emergency services¹.
- B. There is hereby created the office of assistant director of emergency services, who shall be appointed by the director.

Section 6 - POWERS AND DUTIES OF THE DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES

- A. The director is hereby empowered to:
- (1) Request the city council to proclaim the existence or threatened existence of a “local emergency” if the city council is in session, or to issue such proclamation if the city council is not in session⁴. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within 7 days thereafter or the proclamation shall have no further force of effect⁵.
 - (2) Request the Governor to proclaim a “state of emergency” when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency⁶.
 - (3) Control and direct the effort of the emergency organization of this city for the accomplishment of the purposes of this ordinance.
 - (4) Direct cooperation between and coordination of services and staff of the emergency organization of this city; and resolve questions of authority and responsibility that may arise between them.
 - (5) Represent this city in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.
 - (6) In the event of the proclamation of a “local emergency” as herein provided, the proclamation of a “state of emergency” by the Governor or the director of the State Office of Emergency Services, or the existence of a “state of war emergency”, the director is hereby empowered:
 - (a) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;

“Sample Emergency Ordinance Documents”

- (b) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
 - (c) To require emergency services of any city officer or employee and, in the event of the proclamation of a “state of emergency” in the county in which this city is located or the existence of a “state of war emergency”, to command the aid of as many citizens of this community as he or she deems necessary in the execution of his or her duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
 - (d) To requisition necessary personnel or material of any city department or agency; and
 - (e) To execute all of his or her ordinary power as (city manager, chief administrative officer, or mayor) all of the special powers conferred upon him or her by this ordinance or by resolution or emergency plan pursuant hereto adopted by the city council, all powers conferred upon him or her by any statute, by any agreement approved by the city council, and by any other lawful authority⁷.
- B. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his or her duties during an emergency. Such order of succession shall be approved by the city council.
- C. The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this city; and shall have such other powers and duties as may be assigned by the director.

Section 7 - EMERGENCY ORGANIZATION

All officers and employees of this city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of SEC. 6.A.(6) (c) of this ordinance, be charged with duties incident to the protection of life and property in this city during such emergency, shall constitute the emergency organization of the city of (name of city)⁸.

“Sample Emergency Ordinance Documents”

Section 8 - EMERGENCY PLAN

The (name of city) Disaster Council shall be responsible for the development of the City of Emergency Plan, which plan shall provide for the effective mobilization of all of the resources of this city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council.

Section 9 - EXPENDITURES

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500), or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

- A. Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him or her by virtue of this ordinance.
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this ordinance, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof.
- C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State.

Section 11 - REPEAL OF CONFLICTING ORDINANCES¹¹

Section 12 - EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage.

Section 13 - SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

“Sample Emergency Ordinance Documents”

ENDNOTES

¹ In city manager or chief administrative officer cities, that officer should be named director of emergency services; where there is no city manager or chief administrative officer, or in strong mayor cities, the mayor should be named director.

In the latter case, subsection B of this section should be deleted and the following subsections should be relettered since, under SEC. 5.A. supra, the mayor would be appointed director of emergency services.

² In cities where the mayor is the director of emergency services (see footnote 1) this subsection would read as follows: “The assistant director of emergency services, who shall be vice chairman.”

³ See SEC. 8, providing for the structure, duties, and functions of the emergency organization.

⁴ See suggested local proclamations -- Part Three, State Emergency Plan.

⁵ Note the provisions of Sec. 8630 of the California Emergency Services Act which require that the city council review, at least every fourteen days until a local emergency is terminated, the need for continuing the local emergency, and further require that the city council terminate the local emergency at the earliest possible date the conditions warrant.

⁶ Sec. 8625 of the California Emergency Services Act provides that such request is to be made, in the case of a city, by the mayor or chief executive.

⁷ General law cities, see Sec. 38791 of the Government Code, regarding authority to provide for a chief executive with special powers during emergencies.

⁸ The State of California has provided workers’ compensation benefits for all registered volunteers of an accredited disaster council organization. Requirements for the accrediting of local disaster councils and for the manner in which volunteers must be registered in order to be protected by these workers’ compensation benefits are contained in rules and regulations of the State Emergency Council adopted pursuant to Sec. 8580 of the California Emergency Services Act. See Part Three, State Emergency Plan

⁹ See Sec. 53021 of the Government Code.

“Sample Emergency Ordinance Documents”

¹⁰ Under the provisions of Sec. 8668 (a) of the California Emergency Services Act, existing civil defense and disaster ordinances will remain in full force and effect until revised, amended, or revoked; therefore the existing ordinances should be expressly repealed by number. In subsequent revisions of a city emergency services ordinance, the following proviso should be included in the repealing section in order to preserve existing rights and privileges:

“Provided, that it is the intent of the city council in enacting this ordinance that it shall be considered a revision and continuation of the ordinance repealed by this ordinance, and the status of volunteers shall not be affected by such repeal; nor shall plans and agreements, rules and regulations, or resolutions adopted pursuant to such repealed ordinance be affected by such repeal until amended, modified, or superseded as provided in this ordinance.”

“Sample Emergency Ordinance Documents”

RESOLUTION NO. _____

**RESOLUTION OF THE (CITY COUNCIL, BOARD OF SUPERVISORS)
OF THE (CITY, COUNTY) OF _____
RELATIVE TO WORKERS’ COMPENSATION BENEFITS FOR
REGISTERED VOLUNTEER “DISASTER SERVICE WORKERS”**

WHEREAS, Section 8580 of the Government Code (Chapter 7, Article 4, California Emergency Council) provides:

“The California Emergency Council shall establish by rule and regulation various classes of disaster service workers and the scope of the duties of each class. The Emergency Council shall also adopt rules and regulations prescribing the manner in which disaster service workers of each class are to be registered. All such rules and regulations shall be designed to facilitate the paying of workers’ compensation; “and

WHEREAS, the California Emergency Council has adopted rules and regulations establishing classes of disaster service workers, the scope of duties of each class, and the manner of registration of such volunteer disaster service workers; and

WHEREAS, Section 8612 of the Government Code (Chapter 7, Article 10, Local Disaster Councils) provides:

“Any disaster council which both agrees to follow the rules and regulations established by the Emergency Council pursuant to the provisions of Section 8580 and substantially complies with such rules and regulations shall be certified by the Emergency Council. Upon such certification, and not before, the disaster council becomes an accredited disaster council.” and

WHEREAS, the (City, County) of _____ has registered and will hereafter register volunteer disaster service workers; and

WHEREAS, the (City, County) of _____ desires to become an “accredited disaster council” organization in order that injured disaster service workers registered with it may benefit by the provisions of Chapter 10 of Division 4 of Part 1 of the Labor Code;

NOW, THEREFORE, The (City Council, Board of Supervisors) of the (City, County) of _____ hereby agrees to follow the rules and regulations established by the California Emergency Council pursuant to the provisions of Section 8580 of the Government Code.

“Sample Emergency Ordinance Documents”

The (City, County) Clerk is hereby instructed to send a certified copy hereof to the California Emergency Council.

EFFECTIVE: _____, 2000. _____
Mayor (or City Manager) Date

ATTEST:

City Clerk
County Clerk

Mail a certified copy to: California Emergency Council
Office of Emergency Services
PO Box 419047
Rancho Cordova, California 95741-9047

BILL NUMBER: SB 1350 - Chaptered 9/19/2000 (Shaded texts are language changes to the Statutes.)

SEC. 6. Section 3102 of the Government Code is amended to read:

3102. (a) All disaster service workers shall, before they enter upon the duties of their employment, take and subscribe to the oath or affirmation required by this chapter.

(b) In the case of intermittent, temporary, emergency or successive employments, then in the discretion of the employing agency, an oath taken and subscribed as required by this chapter shall be effective for the purposes of this chapter for all successive periods of employment which commence within one calendar year from the date of that subscription.

(c) Notwithstanding subdivision (b), the oath taken and subscribed by a person who is a member of an emergency organization sanctioned by a state agency or an accredited disaster council, whose members are duly enrolled or registered with the Office of Emergency Services, or any accredited disaster council of any political subdivision, shall be effective for the period the person remains a member with that organization.

SEC. 7. Section 3105 of the Government Code is amended to read:

3105. (a) The oath or affirmation of any disaster service worker of the state shall be filed as prescribed by State Personnel Board rule within 30 days of the date on which it is taken and subscribed.

(b) The oath or affirmation of any disaster service worker of any county shall be filed in the office of the county clerk of the county or in the official department personnel file of the county employee who is designated as a disaster service worker. The oath may be destroyed without duplication five years after the termination of the employee's employment by the county.

(c) The oath or affirmation of any disaster service worker of any city shall be filed in the office of the city clerk of the city.

(d) The oath or affirmation of any disaster service worker of any other agency or district shall be filed with any officer or employee of the agency or district that may be designated by the agency or district.

SEC. 33. Section 3211.92 of the Labor Code is amended to read:

3211.92. (a) "Disaster service worker" means any natural person who is registered with an accredited disaster council or a state agency for the purpose of engaging in disaster service pursuant to the California Emergency Services Act without pay or other consideration.

(b) "Disaster service worker" includes public employees performing disaster work that is outside the course and scope of their regular employment without pay and also includes any unregistered person impressed into service during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of citizens in the execution of his or her duties.

(c) Persons registered with a disaster council at the time that council becomes accredited need not reregister in order to be entitled to the benefits provided by Chapter 10 (commencing with Section 4351).

(d) "Disaster service worker" does not include any member registered as an active firefighting member of any regularly organized volunteer fire department, having official recognition, and full or partial support of the county, city, or district in which the fire department is located.

SEC. 34. Section 3211.93a of the Labor Code is amended to read:

3211.93a. "Disaster service" does not include any activities or functions performed by a person if the accredited disaster council with which that person is registered receives a fee or other compensation for the performance of those activities or functions by that person.

State of California

Governor's Office of Emergency Services

MEMO**DATE:** June 22, 2000**SUBJECT:** Administration of Oath: Disaster Service Worker Volunteers

Administering the oath required of disaster service workers by Government Code § 3102:

Statutory Requirements

Disaster service workers must take and subscribe to an oath before entering upon their duties (§ 3102). The oath is that contained within the California Constitution in Article 20, § 3. Section 3104 provides that the oath "may be taken before any officer authorized to administer oaths," or by the person's appointing power or "any person authorized in writing by the appointing power."

An officer authorized to administer oaths includes "[E]very executive and judicial officer and every Member of the Legislature," as well as retired judges who have received a certification from the Commission on Judicial Performance (§ 1225); every clerk of any court, every justice, and every officer authorized to take testimony in any action or proceeding, or to decide upon evidence (Code of Civil Procedure § 2093). Additionally, a notary public is considered an officer of the state who is authorized to administer oaths (§ 8205). In regard to the administration of the oath and in particular with respect to notaries public, it is noted that § 3102 expressly prohibits the charging of a fee for administering the oath.

The foregoing would include department heads of state agencies (§ 11181), including the Director of OES pursuant to § 8585 of the Emergency Services Act, and to any officer of OES to whom the Director delegates the power.

Also authorized to administer the oath is any person authorized in writing by the Director, as the appointing power, in those cases where OES directly registers the disaster service worker (§ 3104).

Options at local jurisdictional OES

1. Provide potential candidates for registration as disaster service workers with forms containing the required oath; they would be directed to subscribe to the oath before an officer empowered to administer oaths and bring the form to the event or activity in which they wish to participate. The forms would there be collected and forwarded to local OES along with other required registration information. A generic list of officers who can administer oaths (as described above) may be provided along with the blank form.
2. Arrange for an officer authorized to administer oaths (as described above) to be present at the activity or event for the purpose of taking the oath. The forms would be collected and forwarded to OES as in 1., above.
3. By written instrument, have the clerk of the county or city, delegate the authority to administer the oath to a responsible person who is known to be participating in the event or activity. Again, the form would be collected and delivered to OES by that person, and filed according to regulations.

Each of these methods is equally lawful; it is not necessary to employ but one if having the range of alternatives available is beneficial.

Code Sections

Labor Code

- ◆ 3211 - 3211.93a
- ◆ 3350 - 3371
- ◆ 3600 - 3605
- ◆ 4351 - 4354
- ◆ 4381 - 4386

5400 et. Seg.

Civil Code

- ◆ 1714.5

Vehicle Code

- ◆ 25259.1

Government Code

- ◆ 2570 - 2573
 - ◆ 3100 - 3109
 - ◆ 6250
 - ◆ 8555 - 8561
 - ◆ 8567, 8579(g)
 - ◆ 8580, 8581
 - ◆ 8585, 8587
 - ◆ 8610 - 8614
 - ◆ 8655 - 8660
 - ◆ 8668
 - ◆ 11180
-

CALIFORNIA CODE RELATING TO THE DSW PROGRAM (Shaded areas-Legislative changes'00)**“THE PURPOSE”**

Govt. Code. 3100. It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, manmade, or war-caused emergencies which result in conditions of disaster or in extreme peril to life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law.

Also see Labor Code: 3211.9 & 3211.91 & Govt. Code 3362.5 & Labor Code 4351 – 4354.

Govt. Code. 3101. For the purpose of this chapter the term "disaster service worker" includes all public employees and all volunteers in any disaster council or emergency organization accredited by the California Emergency Council. The term "public employees" includes all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed.

See Labor Code 3211.92 – 3211.93a. & Govt. Code 8558.

“THE OATH”

Govt Code. 3102. (a) All disaster service workers shall, before they enter upon the duties of their employment, take and subscribe to the oath or affirmation required by this chapter.

(b) In the case of intermittent, temporary, emergency or successive employments, then in the discretion of the employing agency, an oath taken and subscribed as required by this chapter shall be effective for the purposes of this chapter for all successive periods of employment which commence within one calendar year from the date of that subscription.

(c) Notwithstanding subdivision (b), the oath taken and subscribed by a person who is a member of an emergency organization sanctioned by a state agency or an accredited disaster council, whose members are duly enrolled or registered with the Office of Emergency Services, or any accredited disaster council of any political subdivision, shall be effective for the period the person remains a member with that organization.

Govt. Code. 3103. The oath or affirmation required by this chapter is the oath or affirmation set forth in Section 3 of Article XX of the Constitution of California.

See California Constitution, Article 20, Sec. 3 – the Oath.

1225. Every executive and judicial officer and every Member of the Legislature,” as well as retired judges who have received a certification from the Commission on Judicial Performance; every clerk of any court, every justice, and every officer authorized to take testimony in any action or proceeding, or to decide upon evidence (Code of Civil Procedure § 2093), may administer and certify oaths. Additionally, a notary public is considered an officer of the state who is authorized to administer oaths (§ 8205). In regard to the administration of the oath and in particular with respect to notaries public, it is noted that § 3104 expressly prohibits the charging of a fee for administering the oath. Added to this list (perhaps somewhat redundantly) must be department heads (§ 1118), which would include the Director of OES pursuant to § 8585 of the Emergency Services Act, and to any officer of OES to whom the Director delegates the power. Also authorized to administer the oath is any person authorized in writing by the Director, as the appointing power, in those cases where OES directly registers the disaster service worker (§ 3104).

Govt. Code. 3104. The oath or affirmation may be taken before any officer authorized to administer oaths. The oath or affirmation of any disaster service worker may be taken before his appointing power or before any person authorized in writing by his appointing power.

No fee shall be charged by any person before whom the oath or affirmation is taken and subscribed. See California Constitution, Article 20, Sec. 3 – the Oath.

“RECORDKEEPING”

Govt. Code. 3105. (a) The oath or affirmation of any disaster service worker of the state shall be filed as prescribed by State Personnel Board rule within 30 days of the date on which it is taken and subscribed.

(b) The oath or affirmation of any disaster service worker of any county shall be filed in the office of the county clerk of the county or in the official department personnel file of the county employee who is designated as a disaster service worker. The oath may be destroyed without duplication five years after the termination of the employee's employment by the county.

(c) The oath or affirmation of any disaster service worker of any city shall be filed in the office of the city clerk of the city.

(d) The oath or affirmation of any disaster service worker of any other agency or district shall be filed with any officer or employee of the agency or district that may be designated by the agency or district.

Govt. Code. 3106. Compliance with this chapter shall, as to state employees, be deemed full compliance with Chapter 4, Part 1, Division 5, Title 2 of this code, requiring taking of oaths by state employees.

“NO COMPENSATION UNLESS.....”

Govt. Code. 3107. No compensation nor reimbursement for expenses incurred shall be paid to any disaster service worker by any public agency unless such disaster service worker has taken and subscribed to the oath or affirmation required by this chapter. It shall be the duty of the person certifying to public payrolls to ascertain and certify that such disaster service worker has taken such oath or affirmation. Whenever there is more than one officer certifying to public payrolls the governing body of a city or county or school district may designate and make it the duty of a certain officer or officers to ascertain and certify that such disaster service worker has taken such oath or affirmation. The governing body of a city or county or school district may designate and make it the duty of a local disaster service officer to ascertain and certify that each volunteer disaster service worker has taken such oath or affirmation. Nothing in this chapter, however, shall prevent the correction of any technical error or deficiency in an oath taken pursuant to this chapter; provided, such correction is made before the disaster service worker is actually paid or reimbursed. See California Constitution, Article 20, Sec. 3 – the Oath.

“PENALTY OF PERJURY”

Govt. Code. 3108. Every person who, while taking and subscribing to the oath or affirmation required by this chapter, states as true any material matter which he knows to be false, is guilty of perjury, and is punishable by imprisonment in the state prison not less than one nor more than 14 years.

Govt. Code. 3109. Every person having taken and subscribed to the oath or affirmation required by this chapter, who, while in the employ of, or service with, the state or any county, city, city and county, state agency, public district, or disaster council or emergency organization advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony, and is punishable by

imprisonment in the state prison.

Labor Code. 3211.9. "Disaster council" means a public agency established by ordinance which is empowered to register and direct the activities of disaster service workers within the area of the county, city, city and county, or any part thereof, and is thus, because of such registration and direction, acting as an instrumentality of the state in aid of the carrying out of the general governmental functions and policy of the state.

Labor Code. 3211.91. "Accredited disaster council" means a disaster council which is certified by the California Emergency Council as conforming with the rules and regulations established by the California Emergency Council pursuant to the provisions of Article 10 (commencing with Section 8610) of Chapter 7 of Division 1 of Title 2 of the Government Code. A disaster council remains accredited only while the certification of the California Emergency Council is in effect and is not revoked.

Labor Code. 3211.92. (a) "Disaster service worker" means any natural person who is registered with an accredited disaster council or a state agency for the purpose of engaging in disaster service pursuant to the California Emergency Services Act without pay or other consideration.

(b) "Disaster service worker" includes public employees performing disaster work that is outside the course and scope of their regular employment without pay and also includes any unregistered person impressed into service during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of citizens in the execution of his or her duties.

(c) Persons registered with a disaster council at the time that council becomes accredited need not reregister in order to be entitled to the benefits provided by Chapter 10 (commencing with Section 4351).

(d) "Disaster service worker" does not include any member registered as an active firefighting member of any regularly organized volunteer fire department, having official recognition, and full or partial support of the county, city, or district in which the fire department is located.

See Govt. Code 3352.94.

Labor Code. 3211.93. "Disaster service" means all activities authorized by and carried on pursuant to the California Emergency Services Act, including training necessary or proper to engage in such activities.
See Govt. Code 8558

Labor Code. 3211.93a. "Disaster service" does not include any activities or functions performed by a person if the accredited disaster council with which that person is registered receives a fee or other compensation for the performance of those activities or functions by that person.

See Govt. Code 8558

CALIFORNIA CONSTITUTION

ARTICLE 20 MISCELLANEOUS SUBJECTS

SEC. 3. Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**** This shaded portion not used in the DSW Loyalty Oath ****

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

"Public officer and employee" includes every officer and employee of the State, including the University of California, every county, city, city and county, district, and authority, including any department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing.

3366. (a) For the purposes of this division, each person engaged in the performance of active law enforcement service as part of the posse comitatus or power of the county, and each person (other than an independent contractor or an employee of an independent contractor) engaged in assisting any peace officer in active law enforcement service at the request of such peace officer, is deemed to be an employee of the public entity that he or she is serving or assisting in the enforcement of the law, and is entitled to receive compensation from the public entity in accordance with the provisions of this division.

(b) Nothing in this section shall be construed to provide workers' compensation benefits to a person who is any of the following:

(1) A law enforcement officer who is regularly employed by a local or state law enforcement agency in an adjoining state and who is deputized to work under the supervision of a California peace officer pursuant to paragraph (4) of subdivision (a) of Section 832.6 of the Penal Code.

(2) A law enforcement officer who is regularly employed by the Oregon State Police, the Nevada Department of Motor Vehicles and Public Safety, or the Arizona Department of Public Safety and who is acting as a peace officer in this state pursuant to subdivision (a) of Section 830.32 of the Penal Code.

Govt. Code. 8558. Three conditions or degrees of emergency are established by this chapter:

(a) "State of war emergency" means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

(b) "State of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services,

personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

(c) "Local emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

Govt. Code. 8657. (a) Volunteers duly enrolled or registered with the Office of Emergency Services or any disaster council of any political subdivision, or unregistered persons duly impressed into service during a state of war emergency, a state of emergency, or a local emergency, in carrying out, complying with, or attempting to comply with, any order or regulation issued or promulgated pursuant to the provisions of this chapter or any local ordinance, or performing any of their authorized functions or duties or training for the performance of their authorized functions or duties, shall have the same degree of responsibility for their actions and enjoy the same immunities as officers and employees of the state and its political subdivisions performing similar work for their respective entities.

(b) No political subdivision or other public agency under any circumstances, nor the officers, employees, agents, or duly enrolled or registered volunteers thereof, or unregistered persons duly impressed into service during a state of war emergency, a state of emergency, or a local emergency, acting within the scope of their official duties under this chapter or any local ordinance shall be liable for personal injury or property damage sustained by any duly enrolled or registered volunteer engaged in or training for emergency preparedness or relief activity, or by any unregistered person duly impressed into service during a state of war emergency, a state of emergency, or a local emergency and engaged in such service. The foregoing shall not affect the right of any such person to receive benefits or compensation which may be specifically provided by the provisions of any federal or state statute nor shall it affect the right of any person to recover under the terms of any policy of insurance.

Police Functions:

Labor Code. 3362.5. Whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city police officer, a deputy sheriff, or a reserve police officer of a regional park district or a transit district, and is assigned specific police functions by that authority, the person is an employee of the county, city, city and county, town, or district for the purposes of this division while performing duties as a peace officer if the person is not performing services as a disaster service worker for purposes of Chapter 10 (commencing with Section 4351).
See Labor Code 4351.

Employee Exclusion:

Labor Code. 3352.94. "Employee" excludes a disaster service worker while performing services as a disaster service worker except as provided in Chapter 10 of this part. "Employee" excludes any unregistered person performing like services as a disaster service worker without pay or other consideration, except as provided by Section 3211.92 of this code.

Entitlement:

Labor Code. 3600.6. Disaster service workers registered by a disaster council while performing services under the general direction of the disaster council shall be entitled to all of the same benefits of this division as any other injured employee, except as provided by Chapter 10 (commencing with Section 4351) of Part 1. For purposes of this section, an unregistered person impressed into performing service as a disaster service worker during a state of war emergency, a state of emergency, or a local emergency by a person having authority to command the aid of citizens in the execution of his or her duties shall also be deemed a disaster service worker and shall be entitled to the same benefits of this division as any other disaster service worker.

See labor Code 4351.

“COMPENSATION”

Labor Code. 4351. Compensation provided by this division is the exclusive remedy of a disaster service worker, or his or her dependents, for injury or death arising out of, and in the course of, his or her activities as a disaster service worker as against the state, the disaster council with which he or she is registered, and the county or city which has empowered the disaster council to register and direct his or her activities. Liability for compensation provided by this division is in lieu of any other liability whatsoever to a disaster service worker or his or her dependents or any other person on his or her behalf against the state, the disaster council with which the disaster service worker is registered, and the county or city which has empowered the disaster council to register and direct his or her activities, for any injury or death arising out of, and in the course of, his or her activities as a disaster service worker.

Labor Code. 4352. No compensation shall be paid or furnished to disaster service workers or their dependents pursuant to this division except from money appropriated for the purpose of furnishing compensation to disaster service workers and their dependents. Liability for the payment or furnishing of compensation is dependent upon and limited to the availability of money so appropriated.

After all money so appropriated is expended or set aside in bookkeeping reserves for the payment or furnishing of compensation and reimbursing the State Compensation Insurance Fund for its services, the payment or furnishing of compensation for an injury to a disaster service worker or his or her dependents is dependent upon there having been a reserve set up for the payment or furnishing of compensation to that disaster service worker or his or her dependents and for that injury, and liability is limited to the amount of the reserve. The excess in a reserve for the payment or furnishing of compensation or for reimbursing the State Compensation Insurance Fund for its services may be transferred to reserves of other disaster service workers for the payment or furnishing of compensation and reimbursing the State Compensation Insurance Fund, or may be used to set up reserves for other disaster service workers.

Labor Code. 4353. If a disaster service worker suffers injury or death while in the performance of duties as a disaster service worker, then, irrespective of his or her remuneration from this or other employment or from both, the average weekly earnings for the purposes of determining temporary and permanent disability indemnity shall be taken at the maximum fixed for each, respectively, in Section 4453.

Labor Code. 4354. If the injury sustained by a disaster service worker causes permanent disability, the percentage of disability to total disability shall be determined as for the occupation of a laborer of like age by

applying the schedule for the determination of the percentages of permanent disabilities prepared and adopted by the administrative director. The amount of the weekly payment for permanent disability shall be the same as the weekly benefit which would be paid for temporary total disability pursuant to Section 4353.

“LIABILITY”

Civil Code. 1714.5. There shall be no liability on the part of one, including the State of California, county, city and county, city or any other political subdivision of the State of California, who owns or maintains any building or premises which have been designated as a shelter from destructive operations or attacks by enemies of the United States by any disaster council or any public office, body, or officer of this state or of the United States, or which have been designated or are used as mass care centers, first aid stations, temporary hospital annexes, or as other necessary facilities for mitigating the effects of a natural, manmade, or war-caused emergency, for any injuries arising out of the use thereof for such purposes sustained by any person while in or upon said building or premises as a result of the condition of said building or premises or as a result of any act or omission, or in any way arising from the designation of such premises as a shelter, or the designation or use thereof as a mass care center, first aid station, temporary hospital annex, or other necessary facility for emergency purposes, except a willful act, of such owner or occupant or his servants, agents or employees when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge, treatment, care, or assistance therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority or during a natural or manmade emergency.

No disaster service worker who is performing disaster services ordered by lawful authority during a state of war emergency, a state of emergency, or a local emergency, as such emergencies are defined in Section 8558 of the Government Code, shall be liable for civil damages on account of personal injury to or death of any person or damage to property resulting from any act or omission in the line of duty, except one that is willful.

See Govt. Code 8558.

Vehicle Code. 25259.1. Disaster service worker vehicles; training; treatment of lights not in use

- (a) Any vehicle operated by a disaster service worker who has received training in accordance with subdivision (b) and used by that worker in the performance of emergency or disaster services ordered by lawful authority during a state of war emergency, a state of emergency, or a local emergency, as those terms are defined in Section 8558 of the Government Code, may display flashing amber warning lights to the front, sides, or rear while at the scene of the emergency or disaster
- (b) Any disaster service worker operating a vehicle that displays flashing amber warning lights shall receive a training course from the public agency, disaster council, or emergency organization described in Section 3101 of the Government Code concerning the safe operation of the use of flashing amber warning lights prior to operating a vehicle that displays flashing amber warning lights.
- (c) A person operating a vehicle that is authorized to display flashing amber warning lights under this section shall either completely cover or remove those lights when the lights are not in use.

See Govt. Code 8558.

Disaster Service Worker Volunteer Program Brochure is to be inserted on this page and the following page.

QUESTIONS AND ANSWERS

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|---|--|
| 1. Do public employees need to be registered as Disaster Service Workers? | No. A public employee, by the fact of being a paid public employee, is a disaster service worker during a disaster, state of emergency, state of war emergency or a local emergency. They may be instructed by their employer to carry out disaster related activities within the course and scope of their employment and, if injured during the course of those activities, would be covered under their employer's worker's compensation. |
| 2. During a disaster, if a public employee is doing volunteer disaster service on their own time, outside the course and scope of their normal employment job duties, without pay or compensation, and is injured - - is the injured covered by the Disaster Service Worker Program or their public employer's workers' compensation insurance? | In cases where they are directed to perform some work without pay which they are not employed to perform, they would be covered under the DSW workers' compensation program. |
| 3. Can elected officials administer the loyalty oath? | Yes. Also refer to Appendix #4 (page 55) of this Guidance for information on the authority to administer the Loyalty Oath. |
| 4. Can the authority to administer the Loyalty Oath be sub-delegated? | Yes, by those having authority to administer the Oath. If sub-delegated authority is granted, a signed document listing those persons being given that authority should be maintained by that authority, and a copy of same sent to the DSWVP Coordinator. |
| 5. When and how can a convergent volunteer be given minimal training at the time of a disaster event? | The jurisdictions' emergency plan should address the issue of how minimum training will be given to convergents at a time of disaster. Refer to page 8 of this Guidance: "Augmenting existing organization" for example situations. |
| 6. Is an ID card issued when a person registers as a DSW volunteer? | Some jurisdictions issue a DSW identification card and some do not. When an ID card is issued, it should have an identification number and the verbiage, "Not for general identification purposes". The DSWVP regulations do not require that an ID card be issued. |
| 7. Will an official DSW ID card automatically allow me to go on scene at the time of a disaster? | No. The DSW ID card identifies that you are officially registered as a DSW volunteer and have been trained for disaster service. To get "on scene", you would need an official activation document on your person given you by your supervising authority and other appropriate identifications. |

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8. Can a registered DSW volunteer be covered for an injury from disaster service work even if that DSW has a pre-existing medical condition?
- Yes. Workers compensation for the DSWVP is a “No Fault” insurance. Any legitimate DSW claim is covered. SCIF determines the claimant’s disability based on standard schedules, and factors in the percentage of disability from any pre-existing condition based on medical reports from your doctor.
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10. Who activates the Disaster Medical Assistance Teams (DMAT)?
- Generally, the federal government. In California, the Standardized Emergency Management System (SEMS) is followed during any emergency response. When a DMAT is needed, the request would go from the incident or field level to the Local area, then to the Operational area (OA), then to the Regional level (REOC) of the state. The state REOC [specifically, the Emergency Medical Services Authority (EMSA) or the medical/health branch] would request the federal authorities to activate and deploy a DMAT to meet the request.
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11. Why can an Auxiliary Fire Fighter be a registered DSW volunteer, and a regular volunteer Fire Fighter cannot be a registered DSW?
- Auxiliary fire fighters are only called upon to supplement the jurisdiction’s regular fire fighters when there is an extraordinary need. They are not covered by the jurisdiction’s workers’ compensation program, and are eligible for the DSWVP. Volunteer fire fighters regularly respond to fire calls. They are required to be covered by the jurisdiction’s workers compensation insurance.
-
12. Can a DSW be registered with more than one Classification?
- If more than one classification could be assigned, PICK ONE as the primary Classification, including a specialty area for that Classification. List any secondary classifications in the comment section of the DSW Registration.
-
13. Can a single registration form be used for registering a group of people, for example, a one-day training requiring the use of multiple volunteers for that one-day only?
- Yes. A group registration form could be developed, ensuring the information fields required by regulation are included, and the Loyalty Oath incorporated on the form. The form would require an original signature from each person registering, and the loyalty oath administered by an official having authority to do so. The administering authority should also sign the document.
-
14. How does the State of California know if the official that signed a DSW registration submitted with a claim does, in fact, have the authority to do so?
- If the claim were to be questioned, documented proof of delegated authority to administer the oath in that jurisdiction could be required. If a person is unsure, they should not sign as the administering authority. Agency/jurisdiction policies and procedures document should be kept on file identifying those positions or individuals with delegated authority to administer the oath. See Appendix #4 (page 55): Administration of the Loyalty Oath.
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| 15. Why do conscientious objectors have to take the loyalty oath? | It is required in Government Code §3102, §3103 and DSWVP Regulations that to be a registered DSW volunteer in the California DSWVP, the loyalty oath must be signed. |
| 16. Is a person impressed into disaster service covered by the DSWVP? | Yes. An impressed person has the same workers' compensation coverage and immunity afforded a registered DSW volunteer. |
| 17. Who other than peace officers and fire fighters has the authority to command the aid of citizens in the execution of his or her duties (impress a person into disaster service activities)? | Relating to the DSW volunteer program, should occasion require, peace officers and fire fighters would be the officials to "impress". |
| 18. Can a special district be an accredited disaster council? | No. It can, however, have a joint powers agreement with a city or county that is an accredited disaster council for the purpose of registering volunteers in the DSWVP. |
| 19. Can a volunteer be registered as a DSW for just one day, for one event? | Yes. Jurisdictions sometimes hold one-day training exercises for such areas as medical response or search and rescue work that require volunteers serving in the roles of the injured. |
| 20. Are the DSWVP classifications limited to certain specialties? | No. The "Specialty" field on the DSW registration is to more clearly identify the area of skill(s) of the volunteer. Community Emergency Response Team (CERT) classifications might include Specialty areas such as "computer", "phones", "shelter registration", "first-aid", "cooking", "child care", etc. Specialty terms may be determined by the registering jurisdiction. |
| 21. What constitutes appropriate training for neighborhood emergency teams? | Basic Safety Training should be required for all volunteers. Work in cooperation with your local OES to include your volunteers in training the jurisdiction might be scheduling. Have volunteers take the training that best fits the area of disaster service in which they will be working. The organization or association officers according to procedures the group has established could train volunteers who will be assisting with administrative activities and registrations. |
| 22. How should neighborhood emergency teams be dispatched? | Work in cooperation with your local OES to develop a disaster response plan. Address the issue of dispatch or activation in that plan, making sure it is in harmony with your local OES emergency response plan. See Guidance page 16: Activation. |
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23. How should neighborhood emergency teams be supervised?

Work in cooperation with your local OES to develop a disaster response plan and address the issue of supervision in that plan, making sure it is in harmony with your local OES emergency response plan. Supervision could include,

- Directing activities through verbal commands or written instruction
 - Commensurate with level of responsibility and training given the DSW.
-

24. Should the neighborhood emergency teams report to the local OES during emergency response?

Communication and resource requesting should flow according to California's Standardized Emergency Management System (SEMS). Reporting to teams and all volunteers should be consistent with the local disaster plan and related procedures.

ACRONYMS /WEB SITES

ACS	Auxiliary Communications System (includes the RACES) (http://acs.ca.gov)
ARC	American Red Cross (www.redcross.org)
ARRL	American Radio Relay League
BayNET	Bay Area Neighborhood Emergency Response Teams
CAER	Community Awareness & Emergency Response
CAP	Civil Air Patrol
CARDA	California Rescue Dog Association
CBO	Community Based Organization
CCR	California Code of Regulations (www.calregs.com)
CEC	California Emergency Council
CERT	Certified Emergency Response Teams
DART	Diving Accident Recovery Team
DSW	Disaster Service Worker
DSWVP	Disaster Service Worker Volunteer Program
EOC	Emergency Operations Center
ESA	Emergency Services Act
FEMA	Federal Emergency Management Agency (www.fema.gov and /kids)
NVOAD	National Voluntary Organizations Active in Disaster (www.nvoad.org)
OA	Operational Area (i.e. County OES)
OEM	Office of Emergency Management (often synonymous with OES)
OES [State]	Governor's Office of Emergency Services (www.oes.ca.gov)
OES [Local]	County or City Office of Emergency Services
RACES	Radio Amateur Communications Emergency System – part of ACS
REOC	Regional Emergency Operations Center

RTW Coordinator	Return to Work Coordinator
SAR	Search and Rescue
SAVP	Safety Assessment Volunteer Program
SCIF	State Compensation Insurance Fund
SEAOC	Structural Engineers Association of California
SEMS	Standardized Emergency Management System (www.oes.ca.gov)
SOC	State Operations Center
TCOMM	Telecommunications
USAR	Urban Search and Rescue
VOAD	National Voluntary Organizations Active in Disasters (www.nvoad.org)
WOOF	Wilderness Organization Of Finders

California Emergency Council (CEC)	Created pursuant to Government Code, §8575. The CEC has the duty and is empowered to act as an advisory body to the Governor in times of emergency. The Council is chaired by the Governor and includes representation from law enforcement, fire services, city and county government, the American Red Cross, the Legislature, the Attorney General's Office, and the Lieutenant Governor's Office.
Disaster Council - City	Consists of the major, director of emergency services, assistant director of emergency services, such chiefs of emergency services as are provided for in a current emergency plan of the city, and representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council.
Emergency Management Phases	Mitigation - Preparedness - Response - Recovery
Good Samaritan Laws	Various federal and state laws that provide limited immunity from liability for volunteer acts in emergencies and, with exceptions, protects against liability for punitive and non-economic damages - Public Law 105-19, Volunteer Protection Act of 1997.

DISASTER SERVICE WORKER REGISTRATION

LOCAL AND STATE INFORMATION

Loyalty Oath under Code of Civil Procedure §2015.5 & Title 19, Div.2, Chap.2, Sub-Chap.3, §2573.1

ATTACH PHOTOGRAPH HERE	<i>This block to be completed ONLY by government agency or jurisdiction</i>	
	CLASSIFICATION: _____	SPECIALTY: _____
	AGENCY OR JURISDICTION: _____	
	REGISTRATION DATE: _____	RENEWAL DATES: _____
	EXPIRATION DATE:* _____	DSW CARD ISSUED: NO YES #: _____
PROCESSED BY: _____	DATE: _____	TO CENTRAL FILES: _____

TYPE OR PRINT IN INK

(HIGHLIGHTED AREAS REQUIRED BY PROGRAM REGULATIONS)

NAME: LAST FIRST MI			SSN:		
ADDRESS:		CITY:		STATE	ZIP:
COUNTY:		HOME PHONE:		WORK PHONE:	
PAGER:		E-MAIL:		DATE OF BIRTH: (optional)	
DRIVER LICENSE NUMBER: (if applicable)		DRIVER LICENSE CLASSIFICATION: A B C		LICENSE EXPIRATION DATE:	
PROFESSIONAL LICENSE: (if applicable)		OTHER DRIVING PRIVILEGES:		LICENSE EXPIRATION DATE:	
FCC LICENSE: (if applicable)					
IN CASE OF EMERGENCY, CONTACT:				EMERGENCY PHONE:	
PHYSICAL IDENTIFICATION:	HAIR:	EYES:	HEIGHT:	WEIGHT: (optional)	BLOOD TYPE: (optional)
COMMENTS:					

Government Code §3108-§3109:

Every person who, while taking and subscribing to the oath or affirmation required by this chapter states as true any material matter which he knows to be false, is guilty of perjury, and is punishable by imprisonment in the state prison not less than one nor more than 14 years. Every person having taken and subscribed to the oath or affirmation required by this chapter, who, while in the employ of, or service with, the state or any county, city, city and county, state agency, public district, or disaster council or emergency organization advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony and is punishable by imprisonment in the state prison.

LOYALTY OATH OR AFFIRMATION (GOVERNMENT CODE §3102)

I, _____, do solemnly swear (or affirm) that I will support and defend the

PRINT NAME

Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; that I will well and faithfully discharge the duties upon which I am about to enter. I certify under penalty of perjury that the foregoing is true and correct.

DATE SIGNATURE IF UNDER 18 YEARS OLD, SIGNATURE OF PARENT/GUARDIAN

SIGNATURE OF OFFICIAL AUTHORIZED TO ADMINISTER LOYALTY OATH TITLE

*Registration for the active DSW volunteer is effective for the period the person remains a member with that organization; for a volunteer registering for an intermittent or a single event, the expiration date is set at the discretion of the accredited Disaster Council but not to exceed one year. (Govt. Code §3102)