



STAFF REPORT

TO: Board of Commissioners

FROM: Suzy Watkins, Harbor Director
Matthew Ashton, Harbor Patrol Chief

DATE: September 27, 2022

SUBJECT: Harbor Patrol Department Report and Budget Adjustment:
Load Bearing Vest

Recommendation / Proposed Motion

Recommendations:

1. Staff recommends the Board of Commissioners receive and file this update regarding the Harbor Patrol Department's transition to ergonomic duty gear, including load bearing vests and flexible duty belts; and
2. Approve a budgetary transfer allocating an additional \$3,000 to Harbor Patrol /Lifeguards – Supplies, funding source Operating Reserves to be used to complete the Harbor Patrol department transition to ergonomic duty gear.

Motion: Move staff recommendations

Policy Implications

None at this time

District Major Objective/Goal

Additional Objectives - Objective #9: Support high-performing staff – continue steps to maintain low turnover and good employee morale through compensation, staff growth and positive engagement.

Fiscal Implications

The fiscal impact of this item is anticipated to be a net of \$2,000 in the current fiscal year. All remaining duty vests and duty belts will be replaced for approximately \$3,000. This expense is expected to be offset by a \$1,000 stipend from the District's insurer to support a reduction in injury risk with newer ergonomic gear.

Alternatives Considered

The following actions were considered but are not recommended at this time:

- Staff also considered replacing duty gear following the standard 5-year schedule for this equipment. However, the potential reduced claim expense and reduced risk of

lost work time from injury, combined with the stipend offered by the District's insurer, more than offsets the temporary cost increase.

Background

The Harbor Patrol Department began researching ergonomic duty gear options after a series of low back injury claims due to repetitive motions combined with older-style duty gear that lacked ergonomics. In 2020, after consultation with the Harbor Manager at that time, the Harbor Patrol department began doing research into the applicable studies, research and duty gear options that contributed to numerous other agencies switching from traditional rigid "Sam Brown" style duty belts to more ergonomic load bearing vests and flexible duty belts for their officers. California Labor Code section 3213.2 classifies low back injuries for police officers as a "presumptive" injury. A "presumptive injury" is an injury that is presumed to have arisen out of the course and scope of an officer's employment. While a workers' compensation claim would typically require the employee filing the claim to prove that their injuries were connected to their employment, CA Labor Code section 3213.2 shifts the burden of proof in the other direction, ruling that certain injuries be "presumptively" covered. Most California Law Enforcement officers are covered under this Section for a period that extends to 60 months after that officer's last day of work, creating a significant amount of potential liability for the employer.

In light of that information and the availability of improved load-bearing alternatives, the Department researched numerous options with emphasis on the following:

1. Ergonomics,
2. Lack of a tactical or intimidating appearance, and
3. No loss of range of motion or functionality.

After narrowing the options, Harbor Patrol department purchased two different styles of load bearing vests in early 2022 for further evaluation. Both types are compatible with the existing body armor worn by all Harbor Patrol Officers. Two officers field tested that equipment with the intent of gathering personal experience and exposure to the equipment functionality, as well as gathering feedback from the local community since the appearance of officers would vary slightly from the current image.

Staff provided an update on the ergonomic gear project at the July 2022 Public Safety Committee meeting. Staff informed the committee that the Department would be conducting field research into the functionality of load bearing vests and other associated ergonomic duty gear with the intent of reducing wear and tear on Harbor Patrol Officers, improving the health and wellness of staff and, in turn, reducing workers compensation-related costs for repetitive stress and duty gear related injuries. The full Board was advised of the same at the July 2022 regular Board of Commissioners meeting, and the Board requested an update be presented at a future regular Board meeting.

Discussion

Since the July 2022 Board of Commissioners meeting, the Department has continued testing the load bearing vests and flexible duty belts as presented during the July 2022 regular Board meeting. At the beginning of the project, staff had anticipated phasing new duty gear in on the regular equipment replacement schedule over the next four years. Based on the positive feedback received from the trial and the significant benefit to employees and the District, staff plans to accelerate the program and replace all old-style duty belts this fiscal year. Staff is requesting the Board approve a budget adjustment in the amount of \$3,000 to purchase ergonomic duty gear for the remaining Harbor Patrol Officers and complete the transition for the Department.

Conclusion

Staff recommends that the Board receive the update to this project and move to approve the proposed actions.