

## DISASTER SERVICE WORKERS POLICY

### 1.0 Purpose

The intent of this policy is to establish a Disaster Service Worker (DSW) program, to provide protection and encouragement to citizen volunteers in a disaster. California State law provides registered volunteer Disaster Service Workers with State funded Worker's Compensation and limited immunity from liability while they are engaged in disaster service, participating in disaster service training or performing any of their authorized functions or duties (Emergency Services Act 8657).

**Existing law states that Disaster Service Workers shall not be liable for civil damages on account of personal injury to or death of any person or property when acting within the scope of their responsibilities under the authority of the governmental emergency organization, as provided.**

This will enhance the City of Palos Verdes Estates disaster readiness efforts. This policy is meant to encourage citizen cooperation and augment the effectiveness of the City disaster preparedness plans by expanding citizen integration efforts established in the City Disaster District Plan. This policy will include:

- Definition of terms
- Establish policy for implementation of DSW program
- Pre-designate known human resources with pertinent expertise
- Establish procedure for registration
- Designate registration authority to imbedded leaders (District Coordinators)
- Establish registered DSW retention policy

### 1.1 Definitions

- A. Accredited Disaster Council  
A Disaster Council is a body of City officials established through municipal ordinance and accredited by the California Emergency Council, to develop policy for the establishment of a DSW program. The City of Palos Verdes Estates Disaster Council was accredited in 1957, giving it the authority (CA Code of Regulations, Title 19,2570.2 (3)(b)(1) to register Disaster Service Workers.
- B. Disaster  
An incident, event, or emergency the magnitude of which exceeds all available mitigating resources.
- C. Disaster District Coordinator  
A resident of the City who is charged with the responsibility of leading one of the six disaster districts.

- D. **Disaster Service**  
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. (CA Code of Regs, Title 19,2570.2 (3)(b)(1).
- E. **Disaster Service Worker (DSW)**  
Any person registered with an accredited Disaster Council for the purpose of engaging in disaster service without pay or other consideration. This 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.
- F. **Oath of Loyalty**  
The Oath of Loyalty (also referred to as the Affirmation of Loyalty) is the oath required by law to be sworn by candidates for the DSW program. The oath reads as follows: I, \_\_\_\_\_ do solemnly 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 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. I certify under penalty of perjury that the forgoing is true and correct.
- G. **Palos Verdes Estates Disaster District**  
The City has been divided into six (6) separate districts for managing a disaster. Each district has been carefully outlined to include adequate parkland that may be used as an evacuation or staging site. There is a Palos Verdes Peninsula Unified School District school site in each Disaster District. The Disaster Districts are labeled as follows:
- Valmonte
  - Malaga Cove
  - Montemalaga
  - West Lunada Bay
  - East Lunada Bay
  - South Lunada Bay

## 1.2 **Policy**

- A. It shall be the policy of the City of Palos Verdes Estates to pre-designate specified individuals as Disaster Service Workers. In the event of a disaster, this pre-designation will streamline disaster response and afford these individuals the ability to render assistance with assurance of indemnification. It shall also be the policy of the City to extend authority for

registering DSW's to Disaster District Coordinators. The following criteria shall be applied:

1. The candidate must be a person of good moral turpitude, including the successful completion of a screening process conducted by the police department, which may include a reference and a fingerprint check; and
  2. the candidate must be a person with skill in a needed field such as, Community Emergency Response Team members (CERT), or Palos Verdes Estates Neighborhood Amateur Radio Team members (NART), or District Coordinators; and
  3. the person must be a U.S. citizen.
- B. It is also the policy of the City to designate Disaster Service Workers at the time of a disaster, state of war, or other state of emergency provided the candidate falls under the following criteria:
1. the candidate is reasonably foreseen as having good moral turpitude (given that a background screening is not practical, available references are encouraged but not essential); and
  2. willingness and able to assist; and
  3. possesses a skill or expertise in a pertinent discipline
- C. Inasmuch as State law provides authority to any elected City official, any Judge, or any executive officer to register a Disaster Service Worker, the City Disaster Council extends this authority by delegation to the Disaster District Coordinators and/or their successors.

Affiliation with an accredited Disaster Council and delegated authority from that council are required in writing prior to administering a disaster service worker volunteer program. (Cal. Code of Regs., Title 19, §2571).

### **1.3 Procedure**

A candidate who meets the criteria for the DSW program must be registered with the State of California and with the City of Palos Verdes Estates. The following steps (A 1-4) shall constitute the registration procedure:

#### **A. Registration**

1. Selection

In addition to meeting the aforementioned criteria, the prospective DSW should have applicable skill appropriate to the assignment. These skills can include, but are not limited to:

Medical

A medical Doctor, Nurse or other trained medical professional

Mental/Emotional Health

Crisis Counselor

Linguistics

Bilingual

Machinery

Heavy Equipment Operator

Other

Attorney/Legal-Aid

Construction/Contractor

Engineer

Communications

Search and Rescue

Animal Rescue

2. Recordation

The State Registration form (County of Los Angeles Volunteer Disaster Service Worker Registration and Affirmation of Loyalty) will be completed by the volunteer. The Community Relations Officer of the police department will assure the completed forms are submitted to the California Emergency Council with copies of all registrations filed and retained in the police department. Documented proof of oath and training are an integral part of a Workman's Comp claim, and shall be retained together. File policy and retention will follow City Policy. Training will be supervised by the accredited Disaster Council or its delegates.

3. Administration of Oath of Loyalty

In order to obtain this protection, California law requires that DSW candidates swear an Oath of Loyalty and register with an accredited Disaster Council, the Governor's Office of Emergency Services (now known as the California Emergency Management Administration (Cal-EMA)) or an authorized State agency.

All of the prospective DSW's will be sworn in by the Mayor or other appropriate official. Disaster District Coordinators and Disaster Preparedness Co-Chair would be delegated in writing to administer the Loyalty Oath as needed in an actual disaster. District Coordinators will keep a Registration packet in the supply container at each District to enable emergency registration during a disaster.

4. Identification

Identification cards will be issued to identify pre-designated Disaster Service Workers trained for disaster service. IDs should not necessarily allow access to an incident scene, EOC or Command Post, but should allow access to the Volunteer Registration area where DSW's would get their assignments and access pass to their assigned area. A copy of the registration form should be carried by the DSW in lieu of a identification card.

**B. Activation**

Disaster Service Workers will not, as a rule, self-activate. There may be some specific exceptions to facilitate initial command post (District Coordinators), communications (NART and operations CERT and SAR leadership). A clear activation policy will be provided to all DSW's and the Disaster Council.

Only official activation ensures the DSW volunteer the benefits and protection of the DSWVP. An official activation policy will be established.

**C. Reimbursement of Expenses**

Although DSW's volunteer their time without compensation or other consideration, personal expenses incurred may be reimbursable by the City. Policy regarding reimbursement will be established by the Disaster Council or city finance staff.

**D. Workman's Compensation and Liability Insurance Claim**

Procedures are included in the DSWVP Guide attached hereto.

**E. Attachments**

1. California Disaster Service Worker Volunteer Program (DSWVP) Guidance (CAOES, April 2001)
2. DSW Registration Form

*ADOPTED BY DISASTER COUNCIL 1/4/2010*