Memorandum

To: Presidents
From: Richard P. West
        Executive Vice Chancellor and Chief Financial Officer

Subject: Mutual Assistance Agreements

In response to the Disaster and Contingency Planning Audit Number 03-35, this memorandum is written to remind each campus of the importance of having formalized mutual aid/assistance agreements within disciplines from other CSU campuses or neighboring governmental entities for the performance of any and all functions in which the parties to the agreement are authorized to perform.

As stated in Human Resources Coded Memo number HR-2004-10 dated March 17, 2004, “It is the intent of the California State University that resources and facilities of a CSU campus and its public safety will be made available to other CSU campuses through Mutual Assistance and the Critical Response Unit, as appropriate to ensure public safety.” Mutual assistance occurs when two or more CSU presidents agree to furnish personnel, equipment, and/or resources to other CSU campuses on a temporary basis. HR coded memo HR-2004-10 explains the process to activate a request and the operational guidelines for Mutual Assistance and the Critical Response Unit.

Mutual assistance may be provided within any discipline that may be able to provide services and resources to another CSU or campus governmental agency during an emergency situation and recovery when capacity to effectively protect life and property has been exceeded by the local resources. These disciplines may include, but are not limited to, environmental health and safety, hazardous materials response and disposal, emergency management personnel, health care workers, mental health/counseling providers, public information officers, etc.
The purpose and intent of formalizing the agreement via a written memorandum of understanding helps to document the agreement between the campuses and/or agencies, reflects the authority under which the agreement is written, defines the scope of work to include type of equipment and personnel that will be provided, and defines the operating terms and conditions.

The operating terms and conditions should include, but are not limited to, areas addressing:
- Compensation for services provided
- Cost Recovery
- Documentation and Records
- Supervision
- Waivers
- Hold Harmless Agreements
- Workers’ Compensation
- Dispute Resolution

Upon the completion of a draft of these agreements, it is recommended they be reviewed by both the campus Risk Manager and the campus Contracts Officer or by the Chancellor’s Office of Risk Management. Mutual assistance agreements should be reviewed and renewed on an annual basis.

Although it is preferred to have written mutual assistance agreements, there are other viable alternatives that may be employed and should be explored by the campuses. An example would be the activation of a master enabling agreement such as the James Lee Witt & Associates agreement for disaster mitigation and response and recovery services. A campus may also request mutual assistance through the Office of Emergency Services (OES) via the Emergency Managers Mutual Aid plan (EMMA). For further information on this plan, please reference the OES web site at http://www.oes.gov.

If you have any questions regarding this memorandum, please contact Charlene Minnick, Senior Director of Systemwide Risk Management at (562) 951-4580.

RPW:ce

References: -HR Coded Memo 2004-10
-Executive Order No. 797, Critical Response Unit
-California Office of Emergency Services Master Mutual Aid Agreement (MMMAA) and the Emergency Managers Mutual Aid (EMMA) Plans