

**For more information,  
please visit the  
following websites:**

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**California Government Code  
Section 3100-3109<sup>1</sup>**

<https://bit.ly/2QygBfg>

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**California Emergency  
Services Act<sup>2</sup>**

<https://bit.ly/3abnESY>

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**The California Constitution  
Oath or Affirmation**

<https://bit.ly/3abnMBW>

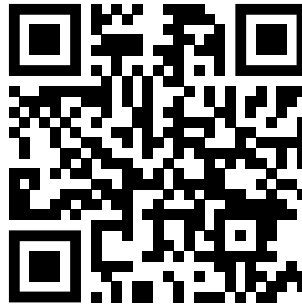
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**Governors Office of  
Emergency Services**

<https://bit.ly/2xcq2uk>

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**For updates on COVID-19  
in Santa Clara County**



Santa Clara County  
Office of Education

1290 Ridder Park Drive  
San Jose, CA 95131-2304  
[www.sccoe.org](http://www.sccoe.org)

Santa Clara County  Office of Education

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**CALIFORNIA PUBLIC EMPLOYEE**

# **DISASTER SERVICE WORKER REFERENCE GUIDE**

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As a California city, county, or state agency or public district employee, you may be called upon as a disaster service worker in the event of an emergency. The information contained in this pamphlet will help you understand your role and obligation.

## California Government Code Section 3100-3109<sup>1</sup>

### California Government Code Section 3100-3109, in part, states:

*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 extreme peril to life, property, and resources is of paramount state importance...in protection of its citizens and resources, all public employees are hereby declared to be disaster serviceworkers...*

*All disaster service workers shall, before they enter upon the duties of their employment, take and subscribe to the oath or affirmation.*

All public employees are included in disaster service worker status, which are all persons employed by any county, city, state agency or public district. During normal day-to-day operations, disaster service workers may work for a specific department or agency; however, during emergencies, all disaster service workers are integral members of the County and may serve in several ways, including, but not limited to:

- Regular duties that contribute to Emergency Response
- A task or duty given to support the incident
- Assist in the Emergency Operations Center

**As a public employee, you may be called upon to assist in the event of fire, flood, earthquake, or other natural or manmade disasters.**

### What does 'disaster service' mean?

Disaster service means all activities authorized by, and carried out, pursuant to the California Emergency Services Act<sup>2</sup>.

### Who is included in the disaster service worker status?

All public employees are included in disaster service worker status which are all persons employed by any county, city, state agency or public district.

### What is the scope of duties of the disaster service worker?

Disaster service workers are expected to act within the scope of disaster service duties while assisting any unit of the organization or completing any act contributing to the protection of life or property or mitigating the affects of an emergency.

### Do disaster service workers get paid?

Disaster service workers get paid only if they have taken and subscribed to the oath or affirmation.

### How are disaster service worker activities assigned?

Disaster service worker activities are assigned to employees by their organization or by law to assist the agency in carrying out its responsibilities during times of disaster.

### What is the oath or affirmation that is referred to in the government code?

Before starting the duties of employment, disaster service workers subscribe to the oath or affirmation set forth in the California Constitution.

### When do public employees take and subscribe to the oath or affirmation?

Most public employees sign the oath or affirmation during the hiring process and it is kept with the employer.

### Can a disaster worker be sued for actions that occur while they are performing disaster services?

Disaster service workers for non-profit organizations and government cannot be held liable for their actions during a disaster while acting within the scope of their responsibilities.

### What if a disaster service worker is injured while performing the functions of their assigned duties?

Claims sustained by disaster service workers while performing disaster services shall be filed as workers compensation claims under the same authorities and guidelines as all employees within their agency.