

## **710 FIRE DEPARTMENT DISCIPLINE CODE**

### **PURPOSE:**

To establish a standard policy to address conduct that is a violation of the Personal Conduct Code **Section 235** or other provisions of these policies and procedures.

### **SCOPE:**

This policy is applicable to all personnel.

### **PROCEDURE FOR DISCIPLINARY ACTION BY A COMPANY OR IT'S MEMBER:**

In order to establish a standard format for the delivery of various levels of discipline, the following guidelines have been developed.

### **DISCUSSION SESSIONS:**

When the need for a discussion session arises, the appropriate company officer shall:

- A. Gather all the facts concerning the alleged infraction.
- B. Conduct the discussion in private so as to avoid embarrassment or humiliation and to create an atmosphere conducive to important oral communications.
- C. State the reason(s) for the discussion so that the member fully understands those reason(s).
- D. Give the member an opportunity to express his views of the events.
- E. Carefully consider the offending members explanation and if appropriate, close the session and take no further action.
- F. If the member's explanation is not acceptable, explain why and in what manner the member can improve or correct his actions.
- G. Repeated offenses of the same or other infractions may result in more severe disciplinary actions as determined by the appropriate company officer.

### **OFFICIAL REPRIMANDS:**

- A. An official reprimand may result from an accumulation of one or more discussion sessions for the same infractions or an accumulation of minor infractions, which in the opinion of the appropriate company officer indicates that a more severe disciplinary action is necessary.
- B. A written statement of the facts concerning the official reprimand and any written reprimand itself will be kept in the members personnel file and a copy will be sent to the member being disciplined.
- C. Additional reprimands for the same or similar infractions may result in more severe disciplinary action.

## **SUSPENSIONS:**

- A. A suspension is a temporary enforced absence from duty and the privileges of membership.
- B. Suspensions may be imposed on persons as part of the escalating disciplinary process.
- C. Suspensions are ordered by a fire officer and are referred to the fire Chief.
- D. The Chief will determine member's innocence or guilt as well as the length of the suspension.
- E. The member in question will be sent adequate written notice of any hearings and will be sent a written explanation of the Chief's determination.
- F. Written records of all suspensions will be kept in the member's personnel file.
- G. Any suspensions on a member will be honored by all companies within the department.

## **DISMISSAL:**

- A. Dismissal is the most severe type of adverse action in the discipline process. Normally, a progression of disciplinary measures will be applied in an effort to rehabilitate a member before a determination is made to remove him. However, certain violations are serious enough to warrant dismissal for the first offense.
- B. Dismissal proceedings shall be initiated by the filing of a complaint pursuant to section 720.
- C. A dismissal is the most severe disciplinary action therefore written records will be kept by the department in the member's personnel file.
- D. A dismissal of a member will be honored by all companies within the department unless that member can show just cause to the Board of Fire Commissioners why he should be allowed to sustain membership in another company.

## **APPEAL PROCEDURE FOR DISCIPLINARY ACTION:**

Any member of the department who is suspended for a period in excess of thirty (30) days may seek a review of said actions through a written request submitted to the Board of Fire Commissioner.

## **REVIEW OF DEPARTMENTAL DECISIONS BY THE BOARD OF FIRE COMMISSIONERS**

### **PROCEDURE:**

A review by the Board of Fire Commissioners shall be commenced by the filing of a written statement requesting a review of the decision setting forth with specificity a reason the applicant believes the decision is unjust. The Board of Fire Commissioners may request more specific or additional information prior to commencing their review. The Board shall consider a written request for a review as a complaint for purposes of the due process provision of these procedures. (**Section 720**)