

**PURPOSE:**

This procedure is designed to provide an understanding for the Riverside Fire District employees of administrative and operational guidelines within the Fire District.

**SCOPE:**

All Riverside Fire District employees (firefighters, officers, administrative staff, commissioners), both paid and volunteer.

**PROCEDURE:** Disciplinary actions may apply to any employee.

1. Disciplinary actions are taken to promote the efficiency of Fire District operations.
2. Disciplinary action is a tool to allow the Board of Fire Commissioners and the Fire Chief, or in his/her absence the Deputy Chief or the Battalion Chief, herein after referred to as the Officer, to deal effectively with employees whose performance or conduct is unacceptable. Whether or not disciplinary measures are invoked is at the discretion of the Officer. Below are some of the discipline measures the Officer has the option to choose when he/she believes discipline is necessary. The Officer may choose any or none of the steps at his/her discretion and is not required to follow any step-by-step procedure. Disciplinary action will be administered following the normal chain of command.
3. In exercising discipline, the Fire District will give due regard to each employee's legal rights and will ensure that disciplinary actions are based on objective considerations without regard to age, color, disability, ethnicity, national origin, political affiliation, race, religion, gender, sexual orientation, or other non-merit factors.
4. Types of Discipline
  - A. Counseling - A positive and constructive supervisory tool used by the Officer to advise an employee that his/her performance, behavior, or attitude is not meeting expectations or is not acceptable; and to improve the employee's performance, behavior, or attitude, which may focus on a specific incident, a particular aspect of the member's performance that the Officer has identified is in need of improvement, or in some instances, the employee's overall performance, behavior, or attitude. It is a discussion between the Officer and the employee to communicate the Officer's concerns to the employee, to determine the cause of the employee's actions, to identify avenues for improvement and/or development, and to improve the employee's performance, behavior, or attitude.

Counseling is recorded in writing on a Riverside Fire District Discipline Form, signed by the Officer and acknowledged by the employee. Counseling forms are placed in the employee's personnel file for future reference. Counseling is not a pre-requisite before issuing a warning, reprimand or suspension.
  - B. Warning - A form of discipline and notice that a member should discontinue some action, performance, behavior, or attitude, or to take action immediately. For example, should an employee fail to follow an Officer's instructions or violate a provision of Fire District's rules the employee may receive a warning. More than one warning can lead to a reprimand, suspension, or termination.

Warnings are recorded in writing on a Riverside Fire District Discipline Form, signed by the Officer and acknowledged by the employee. Warnings are placed in the member's personnel file for future reference, and will remain in the personnel file for a period of one year. Warnings are not a pre-requisite before issuing a reprimand or suspension.

- C. Reprimand - A form of discipline that is more serious than a warning. A reprimand is a written rebuke or admonishment for an action taken or not taken, or for poor performance, behavior, or attitude. It is signed by the Officer and acknowledged by the employee. A reprimand is permanently placed in the member's personnel file. Reprimands are not a pre-requisite before issuing a suspension.
- D. Suspension - At the Officer's discretion an employee may be suspended for a temporary period of time as a consequence for an action taken or not taken, or for poor performance, behavior, or attitude. During this time the employee's privileges are revoked, and the employee is not permitted on Fire District property. A written notice of suspension will be signed by the Officer and acknowledged by the member. A suspension is permanently placed in the member's personnel file.

The suspension will be in effect until a regular or special Board of Fire Commissioners meeting is held, at which the suspension and charges will be discussed. The length of suspension will be determined by the Board of Fire Commissioners.

- 5. If a member believes that he/she is being disciplined unfairly or in a discriminatory manner he/she should report his/her concerns immediately to the Board of Commissioners. Good faith reports of abuse of discipline will be managed with the attention they deserve, including investigation of the charges. False reports of abuse can lead to more discipline, including termination. Please note that you are not required to confront the person or persons that have given you reason to report. However, if you experience what you believe is unfair discipline, you must make a reasonable effort to make the perceived wrong known as soon as you experience or discover it, or soon after. Discussing or reporting acts of unfair discipline to any person other than the Board of Fire Commissioners does not constitute a report.
- 6. Termination / Removal from Office
  - A. An employee may be removed from office/employment for:
    - 1. "Incompetency," which means:
      - a. Gross ignorance of official duties;
      - b. Gross carelessness in the discharge of those duties; or
      - c. Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election/appointment/employment.
    - 2. "Official misconduct," which means intentional, unlawful behavior relating to official duties by an employee. The term includes an intentional or corrupt failure, refusal, or neglect of an employee to perform a duty imposed on the employee by law.
    - 3. Conviction of an employee by a jury for any felony or for misdemeanor official misconduct.
- 7. Filling a Vacancy
  - A. If a vacancy occurs on the Board of Fire Commissioners or in one of the appointed Chief positions, whether by death, resignation, termination/removal by the Board of Fire Commissioners, or other qualification, the remaining Board of Fire Commissioners shall appoint a suitable person to fill the vacancy of the unexpired term.
- 8. If an employee has questions or concerns about this policy he/she should direct them the Fire District Administrator.

1<sup>st</sup> Reading: June 28, 2017

2<sup>nd</sup> Reading: July 26, 2017

Effective Date: June 28, 2017

Revision Date:

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Richard G. Horton, Chairman

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Emerson R. Lucas, Secretary

Discipline Form

Counseling       Warning       Reprimand       Suspension

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Counseling / Warning / Reprimand / Suspension for:

- Committed Wrongdoing — Committed an improper or illegal act
- Failure to Communicate — Does not communicate or communicates poorly
- Improper Care of Equipment — Lack of care taken for tools or equipment
- Lack of Judgment — Poor decision-making or evaluation of circumstances
- Poor Attitude — Does not work well with others; uncooperative; negative; no initiative
- Poor Customer Service — Failed to meet customer expectations; unfriendly
- Poor Performance — Failure to meet workplace expectations; irresponsible
- Poor Work Quality — Inaccurate, unreliable; poor workmanship
- Tardy — Failed to be present when required
- Unsafe Work Practices — Endangered the health or safety of himself/herself or others
- Violated Policy/Procedure — Breached written or verbal policy; failed to follow procedure
- Insubordination
- Other \_\_\_\_\_

Comments: \_\_\_\_\_  
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\_\_\_\_\_

I, the undersigned employee, acknowledge receiving this Counseling / Warning / Reprimand / Suspension

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Member's signature does not necessarily indicate agreement but confirms receipt of the discipline form.

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_