

Town of Wright Fire District Policies

Policy Name: **24.0 - Discipline Policy**

Date Adopted: 7/13/15

Effective: Immediately

Revised:

Reviewed: *Annually*

General

1. It is the goal of the Wright Fire District to ensure a positive, professional, and safe environment for all those affiliated with the Department and District. Anyone who violates those elements may face disciplinary action.
2. It is the policy of the Board that discipline shall be administered in a respectful, corrective, progressive and lawful manner.
3. The policies set forth in this document do not address all conceivable situations and are to be used as a guide to determine appropriate action.
4. At all times our personnel are to be treated with dignity and respect with the goal of creating improvement and not just punishment.
5. The Chief (s) shall not be encumbered by any policy that limits their duties to ensure a safe environment for all, including the public and our equipment while on-scene. If he or she feels that any activity creates an imminent hazard, they should use good judgment to immediately mitigate the hazard. These policies are designed to handle any resulting disciplinary action needed to ensure future incidents are avoided.

Verbal Warnings

1. Verbal warning are generally used for minor offenses which are not likely to cause harm to personnel or property and not considered criminal in nature nor constitute purposeful defiance of Department or District policy or orders.
2. Verbal warnings should be administered by an officer within three business days of occurrence.
3. The Chief should always be informed of the issue and context of the warning prior to it being administered.
4. Verbal warnings may be administered at the Chief's discretion without notification of the Board following the general guidelines noted above.
5. A second verbal warning or verbal warnings of a more serious nature should be documented noting the date, time and general context of the warning. This is just for documentation purposes and may be retained by the chief or placed in the individual's file. It must be filed however so as to be available to the Board or other agency should the need arise.

Written Warnings

1. Written warnings should be administered when two or more verbal warnings have been provided for the same offense, a second offense of an incident that is more serious in nature, numerous offenses and issues have arisen around the same individual in the past six months, an offense that clearly places personnel, public or equipment in imminent danger, or an act severe enough as to warrant more than a verbal warning.
2. Individuals receiving a written warning have the right to provide comments, rebuttal or other facts in a separate document which will be attached to the written warning.
3. The Chief must have full knowledge of and sign off on any written warning prior to it being issued.
4. The Board Chairman shall be notified and allowed time to review such warning prior to its issuance.
5. Warnings are to be clearly dated with date of issuance as well as documentation of times and dates of any incidents.
6. Individual may be requested to sign an “Acknowledgement of receipt” for more severe incidents. It should be clear this is not an admission of guilt but an agreement they have received and understand the written warning. If they decline to sign it should be noted prior to placing it in their personnel file.
7. Written warnings shall be discussed in person and confidentially with the individual. The individual shall be given a copy of the warning.
8. Effort shall be made to keep discussions productive, focused on improvement and future actions as much as the specific incident. Insuring the individual has an understanding of the underlying effects of their actions is an important goal.
9. Depending on the nature of the incident and the individual, it may be advisable to have a Board member and/or another Chief present. Keep in mind it is generally more productive to work with the individual in a limited, cooperative manner than to make them feel they are being attacked by a group.
10. Written warnings should be administered within 30 days of the incident.

Suspension

1. A very serious infraction of District or Departmental policies and procedures may result in the member being temporarily suspended from the organization. This course of action is very serious, as it affects the organization's overall effectiveness by taking one of the players out of the picture. Suspensions are used in instances where there are major infractions of District or Department policies and procedures or federal, state, or local statutes have been violated that directly affect their ability to perform their emergency duties, that endangers the lives or safety

of others during a call, or causes potentially significant harm to the District or Department. Examples would include failure to heed a written warning, repeated insubordination, endangering the safety of others while taking part in any Department activity, driving District equipment under the influence of alcohol or drugs, responding to a call while under the influence of alcohol or drugs, reckless use of District equipment, theft of District property, or other criminal activities that affects the ability of the Department to perform its duties. For less serious infractions, suspension may be used as a "wake-up call."

2. During this time, members are banned from participating in the organization for a set amount of time in hopes that the time away from the job will reinforce that the organization will not tolerate such actions.
3. The Chief(s) should facilitate a corrective action process that will modify the employee's actions and bring them into compliance with what is acceptable. This would include written warning(s) as noted above and possibly a PIP (Performance Improvement Plan) outlining what steps the individual must take to resume normal duty.
4. A Chief may issue a temporary suspension of up to 30 days of an individual if an act is severe enough so as to potentially endanger themselves, others or equipment. Any suspension should be followed by notification of the Board within 48 hours of the incident.
5. Other than extreme circumstances, the Board shall be notified prior to the suspension in most cases. In all cases, the Chief or designee shall prepare a "Notice of Charges" that outlines the specific issues and dates they occurred including specific policies or laws that were violated. Once approved by the Board or Chairman, the individual will be personally served with the Notice of Charges.
6. The Board at its next regular meeting or at a special meeting shall vote to uphold the suspension, overturn the suspension, suspend the action, or add additional disciplinary action up to and including termination. The individual will be allowed to make their case if they desire at such meeting along with the Chief or Chief's representative.
7. The Board may also elect to appoint a Hearing Panel to serve as a fact finding panel and report their findings to the Board. No one involved in the incident or with direct connection (ex. Family, friends, work) to the individual(s) involved may be part of the Panel or Board making recommendations or rulings. The hearing panel will be given 30 days to collect their findings unless the Board specifically authorizes a longer period. The written results and recommendations of the panel shall be presented to the Board at a Disciplinary Hearing. The individual in question may provide written or verbal rebuttal of any allegations provided it is done in a professional manner. The Board shall make a final determination of discipline, weighing the input of the Hearing Panel. No Board member with direct knowledge of or related to any individual(s) involved in the incident may sit in judgment of or vote on disciplinary action. The Board Chairman may call for a ballot vote, verbal vote and/or executive session to make the decision.
8. Suspended members may not attend any Department function other than those related to the investigation. They may not be present on District property or use District vehicles. No benefits or privileges available to members may be exercised during the suspension period.

Termination

1. Repeat offenses or actions deemed to be a terminable offense will require the member to sever ties with the Wright Fire Department.

2. A written copy of the offense(s) shall be provided to the Board by the Chief or designee prior to termination.
3. The Board will make a determination as to whether to uphold the termination or form a Hearing Panel as noted above. All policies related to the Hearing Panel and subsequent ruling as noted above will apply.
4. An individual subject to termination will be offered the opportunity to participate in a hearing pursuant to Section 209-1 of the General Municipal Law.