

403 Code of Discipline

Purpose:

Discipline involves relationships between all individuals and groups of individuals. It encompasses all aspects of supervision which correct, mold, strengthen, or guide all District members toward greater proficiency and satisfactory adjustment to working relationships. An atmosphere of discipline is achieved through instruction, good example, and practice, which influence employees to abide by District policies, procedures, rules and regulations, and aid them in controlling their emotions and developing habits of conduct which will more effectively achieve the objective of the District.

1. AUTHORITY AND RECOGNITION

Self-discipline is enhanced by recognizing members' contributions and giving them a sense of accomplishment and pride in the District. This District shall recognize exceptional member contributions and accomplishments. When appropriate, the Board of Commissioners or Fire Chief shall determine and issue the following recognition awards:

- A. Letter of Appreciation. A "letter of appreciation" will be presented to a member for recognition of a significant contribution to the District. A letter of appreciation will be placed in member's personnel file.
- B. Letter of Commendation. A "letter of commendation" will be presented to a member to recognize an extraordinary effort during an emergency incident, on or off duty.
- C. Certificate of Valor. A "certificate of valor" will be presented to a member or a citizen to recognize an extraordinary life saving effort during an emergency incident. A certificate of valor may be presented to a member for actions on or off duty.

2. UNIFORM CODE OF DISCIPLINE

Primary emphasis will be placed on preventing situations requiring disciplinary actions through effective employer-employee and employee-management relations. When disciplinary action becomes necessary, the supervising officer will inform the member concerned of the reasons that justify the action. The officer will keep in mind that the primary objective of discipline is to correct and rehabilitate, not punish and penalize.

3. AUTHORITY AND DISCIPLINARY ACTION

In conformity with provisions of the Code of Discipline, Fire District officers shall determine and enforce the following disciplinary action if necessary. Disciplinary action by an officer shall be commensurate with his authority.

- A. Oral Admonishment (Documented)
- B. Written Reprimand
- C. Suspension
- D. Demotion
- E. Removal/Discharge

4. CAUSES FOR DISCIPLINARY ACTION

Violations of provision of the following shall be cause for disciplinary action:

- A. District Policy
- B. District Rules and Regulations
- C. East County Fire & Rescue's Code of Discipline
- D. Conduct unbecoming a representative of the District
- E. Local, State and/or Federal Law

5. RESPONSIBILITIES OF ALL MEMBERS

All members of the District, regardless of rank or position, are required to discharge their assigned duties conscientiously; to conduct themselves in a manner which will reflect credit on the District and themselves; to respect the administrative authority of those directing their work; and to observe the spirit as well as the letter of these standards governing their conduct. In many cases their conduct may be subject to more restrictions and to higher standards than that required in non-Civil Service employment, but it does require that they be honest, reliable, trustworthy, and of good character and reputation.

It shall be the duty of all members, in order to administer their responsibilities efficiently, to acquire a thorough knowledge of the Code of Discipline, District policies, procedures and rules and regulations which are applicable to their positions.

Members shall be held responsible for all duties assigned to them in the time specified.

6. RESPONSIBILITIES OF COMPANY OFFICERS

It shall be the duty of all company officers, in order to administer their responsibilities efficiently, to acquire a thorough knowledge of the Code of Discipline, District policies, procedures and rules and regulations which are applicable to their positions.

Company offices are charged with the responsibility of assigning, reviewing, and checking the work of members of their company, evaluating performance; and the first step in resolving grievances.

They shall be responsible for maintaining proper conduct and discipline among members of their company and assigned station.

Company officers may take disciplinary action up to and including oral admonishment. Company officers may make specific recommendations for further disciplinary action to a Chief Officer.

7. RESPONSIBILITIES OF MANAGEMENT PERSONNEL

It shall be the duty of all management personnel, in order to administer their responsibilities efficiently, to acquire a thorough knowledge of the Code of Discipline, District policies, procedures and rules and regulations which are applicable to their positions.

The Chief Officers shall be responsible for maintaining proper conduct and discipline for all members under their command.

The Chief Officers shall be responsible for completing all duty assignments in the time specified.

8. RESPONSIBILITIES OF THE FIRE CHIEF

The Fire Chief is commanding officer of the District. He shall be responsible to the Board of Fire Commissioners for its proper administration and efficient operation.

The Fire Chief will provide general advice and assistance on disciplinary actions in excess of written reprimand. Impartial and uniform disciplinary action will be administered by the Fire Chief. Copies of District policies, procedures, and rules and regulations will be made available to all personnel. Final adjudication of all disciplinary action in excess of a written reprimand shall be made by the Fire Chief.

The Chief may take disciplinary action up to and including removal.

ADMINISTRATION OF DISCIPLINE GUIDELINES

1. ADMINISTERING ORAL ADMONISHMENT

An oral admonishment is an interview between a supervising officer and the offending member on the subject of the members' conduct, performance, or failure to observe a District policy, rule, regulation, administrative instruction or perform his duties in an acceptable manner. It is intended to increase the member's efficiency and value to the District by effecting a change in his/her conduct, attitude, habits, or work methods.

Documentation of an oral admonishment shall be prepared by the Supervising Officer, and reviewed and initialed by that Officer's supervisor. Documentation shall be retained by the Chief for 90 days and discarded. A log of all oral admonishments will be retained by the Chief for his/her own information.

2. ADMINISTERING A WRITTEN REPRIMAND (Need not be preceded by oral admonishment. Right of supervisory discretion will dictate.)

A written reprimand is a formal letter to a member concerning significant misconduct, inadequate performance, or repeated infractions of a lesser nature. Documentation of a written reprimand shall be prepared by a Chief Officer, and reviewed and initialed by that Officer's supervisor. Official reprimands will be filed and retained in a member's personnel file by the Chief.

An official reprimand may be imposed for violating provisions of Section 4 of the Code of Discipline, or as a result of an accumulation of minor infractions, which in the opinion of a supervising officer, indicates more severe disciplinary action than an oral admonishment.

3. ADMINISTERING SUSPENSION (Need not be preceded by other disciplinary actions. Right of supervisory discretion will dictate.)

A suspension is a temporary enforced absence from duty in a pay or non-pay status, which may be imposed as a penalty for violating provisions of Section No. 4 of the Code of Discipline. It is a severe disciplinary action that is made a matter of record. Documentation of a suspension shall be prepared by a Chief Officer, and reviewed and initialed by that Officer's supervisor. For disciplinary purposes, duty officers may temporarily suspend members of the District for one shift for physical unfitness for duty, for refusal to obey orders, for significant misconduct, or for gross insubordination. In

every case they shall immediately notify the available ranking District officer by telephone, submit a report of their investigation, prepare and forward charges, and make specific recommendations for appropriate disciplinary action.

4. **ADMINISTERING A DEMOTION** (Need not be preceded by suspension. Right of supervisory discretion will dictate.)

A demotion may be imposed for violations of Section 4 of the Code of Discipline. Documentation of a demotion shall be prepared by a Chief Officer, and reviewed and initialed by the Fire Chief.

5. **ADMINISTERING A REMOVAL** (Need not be preceded by suspension or demotion. Right of supervisory discretion will dictate.)

Removal is the most severe type of adverse action. Before it is initiated, the facts and circumstances in an individual case must be carefully analyzed and must support the conclusions that the member has clearly demonstrated his unwillingness, inability, or refusal to conform to proper conduct. Normally, a progression of disciplinary measures will be applied in an effort to rehabilitate an employee before he is removed from the District. However, certain violations are serious enough to warrant removal for the first offense. A removal may be imposed for violations of section 4 of the Code of Discipline. Initiation of/documentation of a removal shall be prepared by the Fire Chief, and will be reviewed and initialed by the Board of Fire Commissioners.

RIGHT OF APPEAL

Every member has the right to appeal all discipline that is rendered—above the level of Oral Admonishment.

Members shall document the reason(s) that they feel the discipline was excessive or unwarranted. The written appeal shall be directed to the Supervisor who issued the discipline—within 10 days of the disciplinary action. The involved Supervisor has 10 days to issue their decision about the Member's appeal.

If the Member does not agree with the original Officer's decision, the member can appeal (in writing) one more time—to that Officer's Supervisor. Such a follow-up appeal must be delivered within 10 days after the original Officer issues their decision. A copy of this second appeal must also go to

the original Officer. The original Officer's Supervisor has 10 days to respond, in writing, rendering their decision.

In cases of loss of salary (Full-time and Part-time personnel, only); and demotion or removal of any Member, that Member can appeal—in writing—advancing up the Chain of Command until reaching the Fire Chief. Each appeal must be filed within 10 days of issue of any previous decision by a Supervisor—and each higher Supervisor will have 10 days to respond—in writing—with their decision. The Fire Chief shall notify the Board of Fire Commissioners of his final decision in these cases.