



VALENCIA COUNTY FIRE DEPARTMENT OPERATIONS STANDARDS

Effective Date: 07/01/2018

Article #: 5.1

Revised Date:

VOLUNTEER MANAGEMENT POLICY
(X) POLICY () GUIDELINE () DIRECTIVE

A. PURPOSE

This document is intended to provide for the operation and administration of the volunteer system within the Valencia County Fire Department. It is meant to create a framework for volunteer personnel to have a benchmark of performance, and to respect the different time constraints and strengths that each volunteer member brings to the department.

B. MEMBERS

1. Membership:

The operational success of the Valencia County Fire Department depends heavily on the worthy service of those who are willing to volunteer their time, energy, and resources to their community. In consideration of the willingness of the volunteer members of the Department to provide such service to their communities, the organizational structure of the Valencia County Fire Districts shall be based on democratic principles and shall take into consideration the concerns, ideas, and needs of its members. However, such consideration shall not be given instead of the legal obligation of Valencia County to operate the fire department by all applicable local, state, and federal laws, and to do so with the purpose of providing a necessary public service to the residents of and visitors to Valencia County

2. Membership Application:

Membership application for a particular County Fire District may be determined based on the applicant's proximity to home or work to the specific Fire District. Special service volunteers may be assigned on a regional basis to help other districts. Membership application and status within the Fire Department shall be determined based on the applicant's ability and willingness to provide a useful service for the Department, the applicant's volunteer and employment history, and a background check/review conducted by Fire Administration. Consideration for membership shall be given to all applicants without regard to race, color, religion, national origin, ancestry, gender, age, sexual orientation, mental or physical disability, or medical condition, unless based on a bonafide occupational qualification. However, the physical limitation shall be used as a factor in determining the applicant's ability to function as an EMT or firefighter.

3. Application Process:

Applicants for membership are required to complete a Valencia County Fire Department Volunteer Application, provide copies of any pertinent training, (i.e., EMS license and certificates of fire training), and provide a copy of a current driver's license with the application. These documents can be submitted to the Fire District by mail or at the Fire Department Administrative Office. The application will be reviewed by the Fire Administrative Office; the following steps will be completed during the review.

- Background check
- Reference check
- Drivers License Check

Applicants must disclose any criminal conviction occurring before application for membership at the time of application. The information will be considered confidential by the Department and will not be shared unless it is considered to be public information by state statute, the attorney general, the county attorney, or a court of law. Applicants convicted of a felony, a DWI/DUI within the past year, or two or more DWI/DUIs overall will **NOT** be considered for membership. An individual who has been convicted of a misdemeanor crime and has subsequently served his/her sentence has the right to be considered for membership by the Department. However, the Department reserves the right to use past criminal conduct, behavior and conviction as a reason to deny an application for membership. Applicants must be able to perform the essential functions of the volunteer position.

4. Application Processing:

- a. Initial applicants will be interviewed with the relevant District Chief or another Chief Officer; a Company level Officer, Fire Administration may participate in the interview if needed. Applications will be forwarded to the County Fire Chief for final approval.
- b. When the action or behavior of an applicant may have a detrimental effect on the department, on another member of the department, or on the County, such action and behavior shall be considered when reviewing an application for membership. Any corrective or disciplinary action will be taken, and if necessary, rejection of that membership application may occur.
- c. If the applicant is approved for membership, they will be notified to complete required (W-9, W-4, Nominal Fee Form) paperwork necessary to volunteer (if participating in the nominal fee program). Paperwork should be submitted directly to the Valencia County Fire Administration. Alternative arrangements may be requested and will be considered based on the availability of staff.
- d. A waitlist shall be established if a district is full. An applicant can also be accepted into an alternate district if it is in the best interest of the department.
- e. An applicant who is not approved for membership will be notified in writing.

5. Insurance Coverage:

Approved applicants will be given a copy of the insurance coverage and must complete the Volunteer Firefighters Insurance Services (VFIS) beneficiary form at the first district meeting. The beneficiary form will be forwarded to Fire Administration within 30 days. Volunteer members are covered by insurance for department related activities once they appear on a district roster.

6. Privileges and Obligation of Volunteer Members

- a. Each volunteer member is entitled to voice his or her opinion and entitled to fair and equitable treatment and consideration in the Department. Every volunteer member, based on status within a specific fire district, shall be entitled to initial and ongoing training in both fire and emergency medical services, and shall be supplied necessary personal protective equipment as the budget allows. Every volunteer member may enroll in the State of New Mexico Fire Fighter Retirement Program, although enrollment does not determine final eligibility. Eligibility for the retirement program is determined by the Public Employees Retirement Association (P.E.R.A) based on strict requirements defined in the Volunteer Firefighter Retirement Act and further defined herein. Membership status in the Department is not determined by the member's eligibility for retirement benefits. Volunteer members will be offered the nominal fee program once they qualify.
- b. Each member has an obligation to attend meetings and training and respond to emergencies as requested in accordance with the requirements set forth in this standard, and pursuant to guidelines unique to and approved by a Fire District that are not in opposition to the policies, protocols, procedures, directives, and guidelines adopted by the Department or Valencia County Ordinance 2016-03.

7. Oath of Office:

All members of the Department shall adhere to the policies, procedures, directives and regulations promulgated, adopted, and approved by the Department as required by Valencia County Ordinance 2016-03, and shall furthermore swear an oath to do so upon accepting membership in the Department.

The Oath of Office shall be made available to all applicants before the swearing-in event.

OATH

I do hereby declare, that I will support the Constitution of the United States of America, that of the State of New Mexico, that I will obey the Laws and Ordinances of the County of Valencia. That as a member of the Valencia County Fire Department, my fundamental duty is to serve the people I swear to protect, to safeguard and preserve life, health and property against fire and other perils, and to maintain a proficiency in the fire service. I recognize the badge of my office as a symbol of public faith and trust, and I accept so long as I am true to the ethics of the fire service and make these promises so solemnly, freely, and upon my honor.

C. CLASSIFICATION/COMPETENCY OF VOLUNTEER MEMBERS

Successful organizations must have minimum performance standards. Without performance standards, the Valencia County Fire Department would not be able to accomplish its mission. It is important that volunteer members maintain a minimum level of proficiency to protect themselves and the citizens that they serve. The requirements below were carefully thought out with consideration given to the time constraints that each volunteer faces.

1. Probationary New Member—Probation Period Purpose

The probation period is designed to help a new member become familiar with the department. A probationary member of the Department is one who is undergoing orientation and training. The normal probationary period for a new member shall be 12 months. Probationary members will be provided the personal protective equipment necessary for training purposes to ensure their safety during all training exercises. A member may also be placed in this status secondary to any disciplinary process defined herein. Exceptions may be granted for those members who transfer from one Fire District to another.

Probationary members shall meet the minimum training requirements before they are cleared to respond to any fire, EMS, or rescue calls. Completion of the Valencia County Fire Department Volunteer Orientation Course is required. The probationary VCFD approved task book must be completed by the end of the 12-month probationary period and signed off by their assigned evaluator/s and the district fire chief or his/her designee. Failure of the probationary member to complete the task book within the probationary period may result in dismissal from the department.

The District Chief may, at his/her discretion, extend the probationary period for an additional three months. Any additional extensions must be approved by the Fire Chief. The Probationary Member will be assigned a mentor during the probationary period. Probationary Members will not be issued any equipment for the first three months except a district or recruit t-shirt; after completing the first three months, the probationary member may be issued additional equipment required to operate at the level of their training. All members will be required to complete and sign a written equipment list when equipment is issued. Experienced firefighters may serve a shorter probation period at the discretion of the Fire Chief. No one will serve a probationary period of fewer than six months.

2. Operational Volunteer:

An operational volunteer responds to the scenes of emergencies and operates in either the cold zone or the hot zone of the incident, depending on their licensing/certification and qualifications.

- **Hot Zone Firefighter:** FF-1, Fit Test, NFPA 1582 Physical, Physical Abilities Test done on an annual basis. Must be response-ready (facial hair cannot interfere with the use of an SCBA) to operate in the hot zone.
- **Cold Zone Firefighter:** DOT Physical, Recruit Class and Orientation. The following is a list of typical duties that are performed:
 1. Pump Operations
 2. Air Support (SCBA)
 3. Water Supply
 4. Rehab
 5. Traffic Control

A volunteer member must meet one of the categories of membership defined within this standard. The qualification of the member for the point system described herein is based on a Valencia County Fiscal Year July 1st- June 30th each year. If a volunteer member is on a leave of absence or joined the department part way through the fiscal year they shall have their required points prorated.

Point system note- The point system is set up to be a minimal level of performance for volunteer personnel. The department would like volunteer members to respond to calls because they want to and find it to be a rewarding experience. The number of calls requirements could be set higher. The department is using 12 calls per year as a starting point and will evaluate the effectiveness of this policy after it has been in effect for six months.

Requirements for Fire Active Member (Operational Hot Zone/Cold Zone)

Event	Point Range	Minimum Required Points
Business Meeting	1 Point per Meeting	6
Fire Training	1 Point per Event	9
Other Training	1 Point per Event	3
Administrative Duties	1 point per hour	N/A
Emergency Responses	1 point per response	12*
Station Duty	1 point per 12 hour period	12*
Minimum Points Required		30

Requirements for Medical Active Member (Operational)

Event	Point Range	Minimum Required Points
Business Meeting	1 Point per Meeting	6
Medical Training	1 Point per Event	9
Other Training	1 Point per Event	3
Administrative Duties	1 point per hour	N/A
Emergency Responses	1 point per response	12*
Station Duty	1 point per 8 hour period	12*
Minimum Points Required		30

Requirements for a Firefighter **and** Medical Active Member (Operational)

Event	Point Range	Minimum Required Points
Business Meeting	1 Point per Meeting	6
Fire Training	1 Point per Event	9
Medical Training	1 Point per Event	9
Other Training	1 Point per Event	2
Administrative Duties	1 point per hour	N/A
Emergency Responses	1 point per response	12*
Station Duty	1 point per 8 hour period	12*
Minimum Points Required		38

*A volunteer member *may* mix emergency responses and station duty for a total of 12 points. No more than 12 points may be used for emergency responses or station duty in the calculation total.

Additional Information for Operational volunteers:

- **Station Duty Requirement**

The station duty requirement is intended to help volunteer responders who live outside of a district or need to make up points from not being able to respond to calls. Station duty is required to be productive 50% of the time i.e. housekeeping, rig checks, etc...

- **Fire training and Medical training**

-Each training must last at least 2 hours to be counted towards points in this document.

- **Minimum equivalents**

-Up to 4 points can be achieved each year by completing an alternative training activity (self-study module, or other approved method).

-Up to 2 points can be achieved each year by completing an alternative business meeting activity, although alternative training and business meeting activities must be approved in advance by the Fire Chief.

3. Support Volunteer (Administrative):

An administrative volunteer helps the department or district with record keeping, data entry, purchasing, fundraising or other administrative duties.

Requirements for Active Support Member (Administrative)

Event	Point Range	Minimum Required Points
Business Meeting	1 Point per Meeting	4
Fire Training	1 Point per Event	0
Medical Training	1 Point per Event	0
Other Training	1 Point per Event	1
Administrative Duties	1 point per hour	25
Emergency Responses	1 point per response	0
Station Duty	1 point per 8 hour period	0
Minimum Points Required		30

Restrictions

A volunteer member of the Department who becomes a PRN or full-time paid firefighter for Valencia County must resign as a volunteer member of a Fire District.

4. Cadet:

A junior volunteer member of the Department is one who has reached the minimum age of 16, but is less than 18 years. Cadets must complete a membership application, and at least one parent or legal guardian must sign a Department approved waiver before participation in any Department related activity. The waiver must be notarized. Cadets cannot be interior firefighters; they can participate in fire training and provide support services on the fire ground. Support Services may include SCBA cylinder refilling, firefighter rehabilitation, tool staging, and scribe/accountability. Cadets may participate in suppression activities from a safe area on the exterior of the building for training purposes. Cadets must be assigned to an Operational Member at emergency scenes as long as these members are not part of the interior attack or on the fire line.

5. Fire Corps:

A volunteer member who will assist the department by performing non-emergency tasks and roles, enabling other members to focus on emergency response and training. Fire Corps members offer services like fire safety education programs, fundraisers or helping in performing station duties.

Each District Chief will maintain requirements of their Fire Corps members and if they are providing a service to the department. Fire Corps Members are encouraged to participate in Business meetings and any activities of the department.

6. Honorary:

Those persons who have been so recognized by a vote of the majority of the active members of a Fire District may be designated Honorary Member. This honor may be bestowed upon anyone who, in the opinion of the officers and members of the Fire District, has made a significant contribution to the efforts of the Fire District. A written request for Honorary status will be forwarded to the Fire Chief. Once a member has met the requirements for Honorary Membership they will receive a formal certificate from the department.

7. Life-Member:

Volunteers who have been members of the Department, have reached the minimum age of fifty-five and request retirement status from P.E.R.A, or have incurred from any cause a disability which prevents them from performing normal duties and responsibilities of a member, may be given retired member status. The determination of retirement eligibility due to a medical condition shall be based on consideration of evidence submitted by the member, or upon evidence of inability to perform tasks at an acceptable level. A retired member may continue their service by the Volunteer Fire Fighters Retirement Act. Retirees who remain active may participate in meetings and functions.

Special Circumstances

Valencia County Fire Districts go back to the mid 1950's. There are members in the department who have made significant contributions and wish to continue serving their community. When a member who has at least ten years of service does not fit into any membership criteria within this document, they shall notify their District Chief. A meeting shall be held between the Fire Chief and the District Chief to address the situation for the member, and a written set of requirements shall be given to the member.

For example, a member who has been a Captain for several years and wished to continue their response to calls shall meet the Operational requirements of this document. A Staff Captain who wishes to support the department in a Non-Operational role shall meet the requirements of an Administrative Support member.

D. LEAVE OF ABSENCE:

Members may submit a written request for a leave of absence (LOA) when personal, employment, or other circumstances prevent them from fulfilling the requirements of their membership status for greater than six months. Members who are granted an LOA are required to return all Department owned equipment and personal protective equipment issued by the Department. Upon reinstatement, equipment will be re-issued to the member. Members who have been on an LOA may return to the Department with no loss of seniority, except for the time lost while on the LOA, and shall have their membership reinstated upon return. If the LOA has been for a period greater than six months, the member shall be required to perform a standard vehicle and equipment recertification before reinstatement. A District Chief will have the final determination on the status of a District Officer during their leave of absence. For example, if Firefighter Moya wants to take a six-month leave of absence, the District Chief will determine if someone will act in their capacity while they are on leave or if the other District Officers will take on additional duties.

E. RESIGNATION/TERMINATION:

Members who either resign or terminated must immediately return all Valencia County property assigned to them by the fire department (i.e., radio, pager, bunker gear, wildland gear, medical equipment, etc.). All members were required to complete and sign a written equipment list; thus, failure to return any and all equipment will result in legal action (Refer to the Legal Contract for Equipment).

F. OFFICERS:

1. District Officers:

The Officers of the Fire District shall have general supervisory responsibility for the operation of a specific County Fire District, including the responsibilities and authorities granted to the District Chief in Valencia County Ordinance 2016-03. District Officers may assume additional duties and responsibilities as necessary to administer and coordinate daily operations unique to a Fire District in order to ensure the Department's mission is accomplished and/or to ensure the Fire District's ability and readiness to respond to emergencies within that District so long as those duties and responsibilities are not in conflict with Valencia County Ordinance 2016-03.

2. The composition of Elected District Officers:

The Officers of each County Fire District shall consist of the following:

- a. District Chief
- b. Assistant District Chief(s) — see point #4, Limitations, below

3. The composition of Appointed District Officers:

The Appointed Officers of each County Fire District may consist of any of the following:

- a. District Captains (Fire, EMS, Wildland, Support)
- b. District Lieutenants (Fire, EMS, Wildland)

4. Limitations:

There shall be no more than one District Chief; the number of Assistant District Chiefs will be determined by the needs of the department and by the number of main stations in each particular district. By Valencia County Ordinance 2016-03, the District Chief of each Fire District serves at the pleasure of the Chief of the Department and the Board of County Commissioners.

G. APPOINTMENTS AND DUTIES OF OFFICERS:

1. District Chief Officers:

- a. District Officer Nominations shall be conducted as follows:
 - A candidate for office must be a volunteer member of the Fire District and must be an Operational member.
 - A candidate for office is prohibited from nominating him/herself for any office.
 - A candidate for a specific office must meet the minimum job requirements of the office or request a waiver from the Chief of the Department in writing. If the Chief of the Department grants the waiver it shall have a set period of performance.
- b. Selection of a District Chief Process:
 - When a District Chief vacancy occurs, a nomination committee will be formed within 30 days. The nomination committee will be tasked with nominating a candidate and forwarding the nomination to the Chief of the Department. This is designed to allow each District to participate in the process of selecting their leadership.
 - The nomination committee will be appointed by the Assistant District Chief with the most seniority. The committee will consist of no less than three people or more than five people. Each member of the nomination committee shall be in good standing with the department. There will be a simple majority of operational members on the nomination committee. For example, if the committee consists of three people, at least two of them need to be operational members. When a Fire District does not have enough qualified people to make a nomination committee, the District Officers shall meet with the Fire Chief to make a nomination. If a nomination is not received from a District, the Fire Chief shall appoint a District Chief.

- The District Chief nominee will meet with the Fire Chief for an interview. The Fire Chief will either accept or not accept the nomination from the district after the interview. If the District Chief nominee is accepted, the nominee will take an oath of office and shall assume his/her duties on a date mutually agreed upon by the Fire Chief and the newly-elected District Chief.
- A meeting with the nomination committee and District leadership will be convened by the Fire Chief when a District Chief nominee is not accepted.
- District Chiefs that are in place when this document goes into effect will continue to serve in their current position.

2. Vacancies:

If an officer vacancy occurs within a Volunteer Fire District, the District Chief shall appoint someone into the position within 90 days; unless there is no one qualified for the position.

3. Duties:

The duties of the District Officers are defined as follows and may be further defined or updated in future Valencia County Fire Department job descriptions

- a. District Chief:
 - Assumes responsibility for and supervises the activities of administration, personnel, budget, training, and emergency responses for the District.
 - Is responsible for supervising all activities of their Fire District, including the maintenance of apparatus and equipment, and assuring all required record keeping is accurate and up to date.
 - Ensures the District operates under the County Fire Department Chain of Command and that emergency scenes are managed to utilize the Incident Command System and relevant safety/operational procedures.
 - Chairs all District business meetings.
 - Ensures all District apparatus, equipment, and stations are routinely inspected.
 - Appoints such standing committees as needed to perform special functions for the District.
 - Attends or appoints a representative to attend the Valencia County Fire Chiefs' Association meeting.
 - Performs all other duties as assigned.

- b. Assistant District Chief:
 - In the absence of the District Chief, shall assume all duties and responsibilities thereof.
 - Supervises training of new members, including the assignment of mentors for each new member.
 - Responsible for supervising all activities of their assigned station(s), including the maintenance of apparatus and equipment of that station, and assuring all required record keeping is accurate and up to date.
 - Performs all other duties as assigned.

- c. District Captain(s) – Optional:
 - In the absence of a superior officer, shall assume all duties and responsibilities thereof.
 - Plans and conducts necessary District training.
 - Performs all other duties as assigned.
- d. District Lieutenant(s) – Optional:
 - In the absence of a superior officer, shall assume all duties and responsibilities thereof.
 - Serves as the immediate supervisor to members assigned to them and serves as the first level of supervision in the span of control.
 - Performs all other duties as assigned.
- e. District Engineer(s) – Optional:
 - Is responsible for one or more emergency vehicles within a Fire District as assigned by the District Chief.
 - Is responsible for coordinating and planning necessary District training for pump operations and emergency vehicle operation under the supervision of the District Chief.
 - Performs all other duties as assigned.

i. Minimum Qualifications for Each Function (Requests for a waiver of the requirements below must be sent to the Fire Chief in writing.)

To maintain your current position, you must maintain all of the requirements listed below. An "X" indicates a requirement and a "P" indicates preferred.

Fire/EMS Positions	Recruit Course*	Haz-Mat Operations	Intro to FF	FF-I	S130 S190	L180	EMS License	FF PAT	Physical
Recruit	X								
Firefighter Exterior (Hot Zone)	X	X	X		X	X	P	X	NFPA
Firefighter Interior (Hot Zone)	X	X		X	X	X	P	X	NFPA
Wildland Firefighter	X	X			X	X		X*	DOT
Firefighter (Cold Zone) ***	X	X							DOT
Support Member Administrative	X**								None
EMS Member	X	X					X		DOT

*A firefighter who also wants to be a wildland firefighter will have to complete a Pack Test (PT) to obtain the required Red Card for Wildland Firefighting.

** Support members are required to complete a portion of the Recruit Academy. This is to familiarize each support member with the department.

-Recruits who join the department after July 1, 2018 shall complete the volunteer orientation course. The volunteer orientation course includes:

- Department overview and familiarization
- IS 100/200/700* (**Independent Study*)
- Radio Communications
- Blood Borne Pathogens/Hepatitis B vaccines/Harassment prevention training
- CPR/FF First Aid BLS Level
- Fire and EMS Reporting
- Department SOP's and SOG's

Required Training for all Operational Members: All operational members shall meet these training requirements effective July 1, 2018 regardless of when they started with VCFD.

- IS 100/200/700* (**Independent Study*)
- Radio Communications
- Blood borne Pathogens/Hepatitis B vaccines Harassment Training
- CPR/FF First Aid
- Emergency Vehicle Operations Course (EVOC)
- Department SOG's and SOP's
- Vehicle and Equipment Overview Vehicle Operations
- Required Experience None
- Physical Fitness
- Health Screening

Company Officer Positions	Recruit Course*	Haz-Mat Operations	FF PAT	FF-I	S130 S190 L180	Years In Dept.	EMS License	Leadership I, II, III	Instructor I	Physical
District Lieutenant Fire	X	X	X	X	X	1	P	X	P	NFPA
District Lieutenant EMS	X	X				1	X*	X	P	DOT
District Captain Fire	X	X	X	X	X	2	P	X	P	NOFA
District Captain EMS	X	X		P	P	2	X*	X	P	DOT
District Captain Wildland	X	X	X	X	X	2	P	X	P	DOT
District Captain Training	X	X	X	X	X	2	X	X	X	NFPA

Valencia County Fire Department may elect to offer its own Leadership Course to meet the requirements of Leadership I, II, III.

***A District Lieutenant or Captain for EMS must maintain an EMS license of EMT-Basic or higher.**

Chief Officer Positions Required to be	Years in Dept.	FF-I	EMS License FR or Higher	EMS License EMT- B or Higher	S130 S190 L180	ICS 300/400	Leadership I, II, III	Instructor I	Physical
Assistant District Chief Fire	3	X	X	P	X	X	X	P	NFPA
Assistant District Chief EMS	3	P		X		X	X	P	DOT
District Chief	4	X	X	P	X	X	X	P	NFPA

Department payment for Training or Certifications

A member must meet the requirements as an active member based on the point system in this standard for the department to pay for EMS license renewals, refreshers, or other required renewals at the discretion of the Chief of the Department.

H. CADET PROGRAM

- Cadets, as defined earlier within this policy, shall follow all applicable department rules, regulations, policies, directives and guidelines as adopted by the Valencia County Fire Department.
- Those persons, who have attained the age of sixteen (16), and have the written permission of at least one parent or guardian, may apply for cadet status in the Department. Cadets may not participate in emergency responses, except under the direct and constant supervision of a line officer. Cadets shall not drive any Department vehicle under any circumstance and may not operate equipment except under direct supervision during training exercises. The safety of cadets is of the utmost importance. District officers will make every effort to ensure the safety of cadets at emergency scenes and during training.
- New cadets must complete a Department application, have the written approval of at least one parent or guardian and complete an oral interview with Fire District officers before appointment to a six-month probationary status. Cadets will not be issued personal protective equipment, badges, or pagers while on probationary status. Cadets must attend seventy-five percent of business and training meetings, during which time they will be evaluated to determine their eligibility for Active Cadet status. Cadets who reach their 18th birthday and have completed recruit training will be moved to Active Duty status within the District following approval of the membership.
- A mentor from the Fire District will be assigned to each Cadet during the Cadet’s probationary period. A mentor for the Cadet shall be appointed and supervised by the District Chief.
- During probation, monthly evaluations of the Cadet shall be conducted by the assigned mentor and submitted to the District Chief. Testing of fire and medical training

proficiency, as well as testing the Cadet's ability to perform station and vehicle maintenance, shall be noted in the evaluations. Following the probationary period, Cadets remain subject to random testing and evaluation.

- Cadets must maintain a 3.0-grade point average or better in their schoolwork to remain in good standing with the Department. Cadets who are not in good standing may not participate in Department activities.

I. DISCIPLINE AND REMOVAL OF MEMBERS

1. Disciplinary Process

The Department subscribes to the concept of progressive discipline, and it should be practiced as a corrective measure whenever possible. However, as noted in statement 2 below, there are instances when a disciplinary action, including immediate dismissal, is appropriate without first having imposed a less severe form of discipline.

a. Oral Warning / Reprimand

- An oral warning or reprimand is used to correct minor infractions of performance, conduct or behavior. Members should be notified that further instances might require additional progressive discipline.

b. Written Reprimand

- A member shall receive a written reprimand when an infraction is of a greater degree of seriousness than that for which an oral reprimand may be used, or if a previous oral warning/reprimand was not effective as corrective action.
- Step 1: The District Chief shall initiate an investigation to gather information regarding the infraction and shall appoint a district officer to assist in the investigation. The district officer shall obtain written statements from the offending member and any witnesses as part of the investigation process.
- Step 2: The officer and District Chief should meet with the member to review the information and allow the member an opportunity to respond verbally or in writing.
- Step 3: If the allegations are substantiated, the officer shall review the information with the District Chief to determine the appropriate disciplinary action to be taken.
- Step 4: The officer and District Chief meet with the member and issue the written reprimand. The member should be asked to sign the document to acknowledge receipt. The member's signature does not necessarily indicate concurrence with the content. If the member refuses to sign the document, the District Chief and officer will date and sign the document to verify the reprimand was issued in person to the member. A copy of the reprimand shall be forwarded to the fire administration to be placed in the member's file.

- When it is in the best interest of the department, the above process may be conducted by a Chief Officer such as an Assistant Chief, Deputy Chief, or Fire Chief.

2. Detrimental and Improper Conduct:

The following shall be considered conduct detrimental to the welfare and operation of the Department and shall be cause for disciplinary action up to and including immediate suspension and dismissal. No officer or member of the Department shall be exempt from these requirements. Each member shall be held accountable and responsible for his/her actions accordingly. Each District Chief is held to the same level of accountability and responsibility as any other member of the department. Each District Chief is directly accountable to the Fire Chief for disciplinary action up to and including dismissal from the department.

Examples of Infractions Requiring Corrective Action:

The following instances shall warrant the initiation of a formal progressive disciplinary process. This list is not to be considered all-inclusive, but rather to define examples of actions considered detrimental to the operation of the Department. A written reprimand may include a demotion, temporary suspension, or dismissal from the Department.

- Insubordination. (Failure to follow a reasonable direct order of a superior officer).
- Failure to perform his/her duty or dereliction of duty.
- Failure to follow county standards, policies, and procedures, and a Chief's directive.
- Being under the influence of alcohol or other substances (legal or illegal) that could cause physical or cognitive impairment while wearing a department uniform, while taking part in formal department training, activities, special events, and community standby activities, and responding to an emergency or non-emergency call.
- Negligence.
- Misuse or mismanagement of department funds.
- Conduct unbecoming an officer or member of the Department.
- Sexual misconduct or harassment while on duty at county functions in uniform or representing the county, district, or department.
- Harassment or hazing of another member of the Department. This includes horseplay, inappropriate or unwanted physical contact, sexual harassment, or any other behaviors that are unwelcome and could create an intimidating, hostile, or unacceptable environment.
- Actions that unnecessarily endanger the member, other members, and the public.
- Failure to agree to mandatory drug testing as outlined in the Valencia County Personnel Ordinance.
- Failure of a member to attend required meetings and training, or failure to respond

to emergency responses as required to maintain the member's status in the department.

- Failure to follow the requirements of previous disciplinary action.
- Misuse or abuse of Department equipment or apparatus.
- Misuse or abuse of Department insignia, identification, or privilege. Misuse or abuse of an emergency vehicle.
- Interference with the duties of a law enforcement officer.
- Misrepresentation of authority and any act that implies an inappropriate level of authority and intimidates a member of the public.
- Misuse or abuse of communication equipment and violating Department communication standards.
- Failure to report damage to any station, Department vehicle or equipment caused by the member or another member of the Department.
- The willful falsification of Department or District records or reports.
- The theft of, unapproved appropriation of, or modification to, Department equipment, vehicles, stations, records, or supplies.
- Failure to follow and comply with state and county procurement codes, rules and regulations.
- The misrepresentation of qualifications, level of training, or licensure or experience.
- Another activity or omission of such severity to be detrimental to the department.

3. Formal Grievance and Appeal Process

This formal grievance and appeal process is applicable for disciplinary actions that include suspension, demotion or dismissal from the Department. Members who have completed the probationary period as required in Part C, Section 1 have the right to the grievance and appeal process. A disciplinary issue involving a District Chief shall follow the same process described below. A District Chief shall have the right to appeal any discipline above an oral warning/reprimand directly to the Valencia County Manager if they are not satisfied with the final decision of the Fire Chief.

a. Request for Hearing:

The member shall file a formal written request for a hearing with the Fire Chief within three (3) working days of receipt of the disciplinary action.

b. Scheduled Hearing:

Within seven (7) working days of receipt of the written request, the Fire Chief shall schedule a hearing date, time, and location to hear the aggrieved.

c. Hearing:

The Fire Chief, or his designated hearing officer, shall hear the aggrieved and review the evidence and information provided by the District Chief. If a hearing officer has heard the aggrieved, a written recommendation shall be forwarded to the

Fire Chief within 24 hours.

d. Decision

The Fire Chief shall have three (3) days after receipt of the written recommendation to consider the information and render a written decision to the aggrieved and the District Chief.

4. Any member that is arrested shall be placed on suspension until Fire Administration reviews the case and a further determination is made. It is the member's responsibility to notify the District Chief within 48 hours. Lack of notification is grounds for termination. The District Chief needs to notify Fire Administration of any member's status within the department.

Any conviction of a felony shall be cause for immediate termination.

Any conviction of arson shall be cause for immediate termination.

Certain situations may be grounds for immediate termination based on the discretion of the Fire Chief.