

Introduced: 12/21/09
Adopted: 7/19/10
Reviewed: 3/18/13

ALCOHOL AND SUBSTANCE POLICY

PURPOSE:

To determine the district's policy towards its members and personnel's use of intoxicating substances and drugs in regards to participation in assigned duty nights, stand-by assignments, training/drill sessions, meetings, department events involving the public, and fire and EMS calls.

OBJECTIVES:

It is the goal of the Boght Community Fire District that no member or personnel of the fire department is ever under the influence of any intoxicating substances, be it alcohol, drugs or medication, while on duty, at training, at department meetings or events, or while responding to calls and on calls, that will endanger themselves, others or the image of the department. The fire district strongly recommends that if a member has been drinking or is under the influence any other intoxicating substance that they do not respond.

POLICY:

When there is public contact with a fire department member who has used intoxicants, it reflects poorly on each and every member of the organization. In addition, the stresses of firefighting and emergency services require all to be mentally and physically responsive. To meet the objective of this policy, the following is considered to be policy:

No member or personnel shall drive any fire district vehicle while under the influence of alcohol at any level or any other intoxicating substance, even if prescribed by a physician, that could impair one's ability to drive.

It is the personal responsibility of each member to make certain that they respond to and from, and operate at any drill, meeting, fire and EMS calls or stand-by assignment in a manner that is not impaired or appears to be impaired by any intoxicating substance.

Given that each individual's tolerance for alcohol or other substances vary, particularly over periods of time, it is the personal responsibility of the member to gauge their own behavior and the impact or appearance of the impact of an intoxicating substance on their behavior.

Each member will be wholly responsible for their conduct and any consequences of their conduct when it is found that such conduct occurred while they were impaired or appeared to be impaired by any intoxicating substance.

No person under the legal New York State Drinking Age (21 years of age) will be allowed to consume alcohol on Fire District property or during ANY Fire Department, Fire Company or Fire District activity.

As much as it is the member's personal responsibility to manage their own behavior for their safety and their duty to fellow members and the public, each member also shares a commitment to assure that other members are not operating while their abilities are impaired or appear to be impaired by an intoxicating substance.

Members should report concerns or observations of another member's behavior being impaired or appearing to be impaired to a chief officer, a ranking officer or the officer in charge. No member shall fear retribution, retaliation or consequence of reporting another member.

If a member has concerns regarding the abilities of another member during any drill, fire or EMS call or stand-by assignment, or has knowledge that another member may be operating on a scene or operating a district owned vehicle in violation of this policy, that member may refrain from responding, riding in a vehicle or otherwise engaging in that drill, fire or EMS call or stand-by assignment so long as they notify a chief officer, ranking officer or officer in charge of the event or vehicle as to their concerns.

Any investigation of a complaint of impairment or appearance of impairment shall be done in the presence of a chief officer, ranking officer or officer in charge and a peer.

Offenses:

Any person found to be under the influence of an intoxicating substance, in direct violation of this policy will be immediately suspended by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.

Any member that is involved in a motor vehicle incident while responding to or from a drill, fire or EMS call, meeting or stand-by assignment and is found to be under the influence of an intoxicating substance will be immediately suspended by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.

Any member that is involved in a motor vehicle incident while operating a District owned vehicle will be transported to Albany Memorial Hospital and be required to submit to a mandatory substance test, consisting of a urine sample and a blood sample. Driving privileges will be immediately suspended until the results of the substance tests and if found to be under the influence of an

intoxicating substance will face immediate termination from the Fire District for a term of life following due process of law.

Any member that is injured while operating at a drill, fire or EMS, meeting or stand-by assignment and found to be under the influence of an intoxicating substance and is the cause of the injury or accident (1) may not be covered by VFBL, (2) may not be eligible to receive any compensation from the Boght Community Fire District or any State entity and (3) will be immediately suspended from the Boght Community Fire District by the Chief of Department or the President, for thirty (30) days, or until the next regularly scheduled meeting of the Board of Fire Commissioners, whichever comes first. Any person found to be in violation of this policy may face a suspension of not less than 30 day, but not more than 1 year, following due process of law.