

DISCIPLINE POLICY

PURPOSE:

To determine the district's policy towards disciplining its personnel in regards to acts of misconduct, or personnel found to have displayed actions unbecoming of a firefighter or officer, while representing the Fire District, Fire Department or Fire Company by participating in driving assignments, assigned duty nights, stand-by assignments, training/drill sessions, meetings, department events involving the public, fire calls, or general behavior while on Fire District property, or while wearing clothing bearing the Fire Department name/logo. This policy addresses both on-duty and off-duty activities.

OBJECTIVES:

It is the goal of the Boght Community Fire District to ensure a positive and professional environment for all its personnel. Any personnel that, either directly or indirectly, violate the professionalism that is expected of them may face disciplinary action.

POLICY:

The Boght Community Fire District corrective action program will normally provide for a series of actions, which increase in severity, if conduct is not corrected. Any personnel found having acted in a manner that is determined to be unbecoming of a firefighter or officer will be placed on notice by the officer in charge. The Chief of Department will be notified, or in his absence the next ranking officer. Any notice of questionable behavior will be addressed within 48 hours of occurrence. This may include only notifying the party or parties involved, due to further investigation/questioning necessary. However, in each case of misconduct, the appropriate level of corrective action will be determined on the basis of the facts and circumstances surrounding the particular incident, the person's length of service and past corrective action(s), or lack of, applied to that person. Multiple offenses within an abbreviated time period may warrant acceleration of the corrective action process. Personnel whose length of service is less than six months may be subject to an abbreviated corrective action process due to their length of service.

Any personnel having disciplinary actions leveled against them are entitled to a full investigation conducted by the Office of the Chief of Department, unless the personnel in question are paid employees of the Fire District, or are a chief officer, in which case, the Board of Fire Commissioners will be involved in the investigation, along with the Office of the Chief of Department.

Charges of misconduct or actions unbecoming a firefighter or officer brought forth against any personnel, that are deemed to be immoral, indecent, illegal or threatening in any manner will result in an immediate suspension, pending the outcome of an internal investigation.

Verbal Warning: Any personnel found to have conducted themselves in such a manner as to require disciplinary action shall receive, at a minimum, a verbal reprimand, if necessary, and a written notice of such reprimand will be provided for the personnel file.

Written Warning: Any repeat incident of similar nature will be deemed a second offense and will require, at a minimum, a written reprimand. The Chief of Department or their designee will make the determination as to the severity of the incident, and determine the appropriate level of discipline above and beyond a written reprimand, if necessary and copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a verbal warning for a first offense may receive a written reprimand and copy of such will be provided for the personnel file.

Suspension: Any repeat incident of similar nature will be deemed a third and final offense and will require, at a minimum, a suspension. The Chief of Department or their designee will make the determination as to the severity of the incident, and determine the appropriate level of discipline above and beyond a suspension, if necessary and a written copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a written warning for a first offense may receive a suspension and a written copy of such will be provided for the personnel file.

Termination: Any repeat incident of similar nature will be deemed a terminable offense and will require the member to be separated from the Boght Community Fire District for a term of life. The Chief of Department or their designee will make an argument to the Board of Fire Commissioner as to severity of the incident and reason for termination and a written copy of such will be provided for the personnel file. Any personnel found to have conducted themselves in such a manner severe enough as to require more than a suspension for a first offense may be terminated from the Boght Community Fire District. The Chief of Department or their designee will make an argument to the Board of Fire Commissioner as to severity of the incident and reason for termination and a written copy of such will be provided for the personnel file.

If the individual is subject to termination he will be offered the opportunity to participate in a hearing pursuant to Section 209-1 of the General Municipal Law.

The following may warrant immediate corrective actions:

- Unacceptable, inappropriate, unprofessional conduct, on or off duty.
- Neglect of duty.
- Disorderly conduct including fighting, "horse play," arguments, unnecessary noise, shouting, threatening or violent behavior, disruption of department functions while on Fire District property, either on or off duty.
- Immoral or indecent behavior of any nature.
- Unlawful or unauthorized manufacture, distribution, sale, dispensation, possession or use of a controlled substance.
- Reporting for duty while impaired by controlled substances or alcohol (See Alcohol and Substance Usage Policy).
- Unauthorized possession, fraud, or misappropriation of property including items belonging to the Boght Community Fire District, another employee, or any other person.
- Destroying, defacing, or misusing Boght Community Fire District property and/or equipment either deliberately or negligently.
- Insubordination including failure to comply with a superior's instructions and work assignments or by using abusive language or acting in a disrespectful or belligerent manner towards any member or officer, whether on or off the Fire District property.
- Belligerence, lack of courtesy, or disrespect towards other personnel or officers.
- Threatening, intimidating, or coercing another member, including fighting and/or harassment (either as an implicit or explicit condition of membership, or in any way a part of work relationships -see the "Harassment" policy).
- Falsification of any Boght Community Fire District record including, but not limited to, membership application forms, training records, personnel medical records, fire reports or patient care reports.
- Malicious gossip concerning fellow employee.
- Viewing, downloading or transmitting material on Boght Community Fire District equipment which is:
 - in violation of any state or federal law or government regulation (e.g., copyrighted material) or,
 - offensive or insensitive by reason of gender, race, ethnic background, sexual orientation, age, religion, disability, etc.
- Unauthorized use of the Boght Community Fire District name, letterhead, or publication including speaking for the district on any matters other than those for which the member has been duly designated to speak.
- Unauthorized use of any Fire District vehicle, equipment or clothing.