

CLIO AREA FIRE DEPARTMENT

DISCIPLINE

Minor infractions of the Rules, Regulations, Policies, Procedures, or orders shall be immediately called to the attention of the offending member by their immediate superior.

Members of the Fire Department found guilty, after review by the Chief, of any offense or violation of the Rules, Regulations, Policies, Procedures, Guidelines, or orders shall be liable to be punished by verbal reprimand, written reprimand, suspension (not exceeding 90 days), reduction in rank, or by dismissal.

The purpose of disciplinary action is to correct behavior, not punishment of the individual.

Discipline shall be progressive in nature and severity of the discipline shall be based on the severity of the infraction.

The progression includes the following steps

1. A formal letter of discipline
2. Short-term disciplinary layoff 1-14 days.
3. Long-term disciplinary layoff 14-90 days.
4. Discharge

The steps of progressive discipline may be varied slightly depending upon the circumstances of the case and the category of the offense. There may be mitigating circumstances that will have an influence on the extent of the discipline. The mitigating factors could include, but not limited to, such items as:

1. Unique circumstances surrounding the offense.
2. Length of the employee's service.
3. Time since the last disciplinary action.
4. The nature of the last disciplinary action.

Non-Major – Penalty – Letter in the file to 14-day disciplinary layoff.

This category includes offenses that, while unacceptable, will not normally result in disciplinary action on the first occasion. On the first occasion in this category, the Officer will counsel and alert the employee to the unacceptable behavior and explain the second occurrence will result in disciplinary action.

Major – Penalty – 14-day to 90-day disciplinary layoff.

These offenses are of a more serious nature and, based on the circumstances, normally involve a long-term disciplinary layoff on the first occasion. Disciplinary action for major offenses will not begin with the formal disciplinary letter but will normally involve a long-term disciplinary layoff on the first offense.

Examples of Major-Penalty: 1) Driving a fire department vehicle while under the influence of alcohol. 2) Safety violation that results in injury

1st Offense Discharge

These are offenses of such a nature that constructive discipline steps to rehabilitate the employee are inappropriate. Such acts would constitute cause for discharge on the first occasion and require no preliminary steps in the progression of discipline.

Examples of 1st Offense Discharge: 1) Assault on another employee, 2) Theft of Department property, 3) Theft from an emergency scene, 4) Arrest for arson, 5) Sale of or possession of drugs on fire department premises or vehicles.

All disciplinary action shall be documented and a copy of such documentation provided to the employee.

Any member so disciplined or discharged shall have the right to appeal such action to the Fire Authority Board and have a trial or hearing. Written notice of appeal must be filed within ten (10) days after such discipline or discharge, the hearing of such appeal must be held within thirty (30) days after filing of said Notice of Appeal. The Chief or other designate of the Chief shall prepare and present the position of the Department in the case. The accused shall be entitled to be represented by council or the accused may elect and is entitled to be represented by any officer of the Department in his defense. If the Fire Authority Board reverses or alters the finding of the Chief, it may, in the case of reversal or other causes, at its discretion, order the member affected be returned to duty with full pay for any alarms he may have answered as a result of such discipline, the member involved shall not be subject to any further disciplinary action for the same offense.

The giving of false testimony or the willful withholding of truth by members acting as complainants, investigating officers, or witnesses in hearing complaints, charges or appeals, may be considered as sufficient grounds to order that charges be filed against such member.

No members shall obstruct or attempt to interfere with proper investigation or trials involving any member accused of a violation of discipline.

Members who are suspended shall not be permitted to wear any part of the official uniform except when ordered to appear before the Fire Authority Board.