

This standard operating procedure provides **policy** and guidance on the handling of discipline. All fire department personnel may be subject to disciplinary action.

CAUSE FOR DISCIPLINE:

- A. **Insubordination.**
- B. **Conduct detrimental to the fire department.**
- C. **Responding to alarms under the influence of alcohol or drugs.**
- D. **Misuse of county equipment.**
- E. **Failure to comply with Fire Department policies or procedures.**
- F. **Failure to follow the SJCFD Code of conduct.**

DISCIPLINARY PROCESS:

**Any officer shall have the authority to administer disciplinary action. Disciplinary action may be progressive and may involve a step process. (See below) Certain situations may be grounds for immediate suspension or termination based on the discretion of the District Chief or Fire Chief. Any conviction of a felony shall be cause for immediate termination. Any conviction of arson shall be cause for immediate termination.**

STEP PROCESS:

1. Verbal reprimand – Oral conversation with a signed record (disciplinary action notice) acknowledging the conversation was held. The signed record of the conversation shall be kept in the members file.
2. Written reprimand – Utilizing the disciplinary action notice, under the plan of action section, a written reprimand shall state the member is being warned for misconduct; describe the misconduct; describe past actions taken to correct the problem; urge prompt correction or improvement by the member; include timetables and goals for improvement; and outline future penalties should the problem continue. **The member shall be given a copy of the written reprimand and a copy shall be placed in the members file.**

**Failure to comply with the written reprimand, or a third infraction (reprimand of any kind) within twelve months of the last written reprimand, will require the imposition of a suspension.**

3. Suspension – Prior to the suspension, or as soon thereafter as possible, the member shall be given a copy of the disciplinary action notice. The plan of action should include the following:
  - a. The reason for the suspension
  - b. The length of the suspension
  - c. An outline of further disciplinary actions should the misconduct continue
4. **Termination**

**Officers may levy any disciplinary action against any member including, but not limited to the following:**

1. **Probation**
2. **Revocation of certain privileges.**
3. **Suspension.**
4. **Termination following District Chief and/or Personnel Board inquiry.**

MEMBERSHIP COMPLAINTS:

**Any member may file a complaint against any other member by submitting a SJCFD Disciplinary Action Notice.**

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This complaint shall be signed by the complaining member and be submitted to the District Chief within seven (7) days of the event that caused the complaint.

All complaints shall be reviewed by the District Chief and/or personnel board for further action. Review shall take no more than thirty (30) days from the date the complaint was filed.

Any member that is arrested shall be placed on suspension until the elected officers review the case and a further determination is made. It is the member's responsibility to notify the District Chief within seventy two hours. Lack of notification is grounds for termination.

APPEALS:

Any action taken by the officers or the Personnel Board may be appealed to the District Fire Chief, who shall render findings within thirty 30 days after receiving the appeal.

Any member requesting an appeal must hand deliver a written request to the District Chief within seven (7) days of the date of the disciplinary action.

Any member requesting to appeal the findings of the District Chief must hand deliver a written request to both the District Chief and the Fire Chief within seven (7) days of receipt of the decision made by the District Chief. The Fire Chief shall render findings within thirty (30) days of receipt of the appeal.

All information and documentation involved with the formal appeals process shall be considered and treated by all involved as confidential and not made a matter of public record.

TERMINATION:

Any member who has been terminated due to disciplinary action or removal from a District roster for failure to meet attendance requirements shall not be eligible for SJCFD membership for a period of at least one (1) year from the date of removal.

REINSTATEMENT:

In cases where a member was removed for disciplinary reasons a personnel panel shall be convened. The panel shall consist of an officer from the following:

1. The District the individual was removed from
2. The District the individual wants to transfer to
3. Two officers from a non-biased District(s)
4. A representative of the fire operations center.

Prior to reinstatement, the panel shall review the circumstances for removal and by a majority vote authorize the individual to begin the re-application process. If denied the individual may not re-apply to SJCFD for a period of five years.

SJCFD DISCIPLINARY ACTION FORM:

This form must be submitted to Fire Operations to be placed in the personnel file. See Next page for sample.

**SAN JUAN COUNTY FIRE DEPARTMENT**

**Disciplinary Action Notice**

<b>Action notice for (NAME):</b>	<b>Current Title:</b>
<b>Additional attendees present for notice delivery:</b>	<b>Form completed by:</b>
<b>Location of Occurrence:</b>	

<b>Check all that apply</b> <small>Double-click square to Check/Uncheck Box</small>	<b>Options</b>	<b>Supervisor</b>	<b>Employee</b>
<input type="checkbox"/>	Verbal Reprimand		
<input type="checkbox"/>	Written Reprimand		
<input type="checkbox"/>	Probation		
<input type="checkbox"/>	Demotion		
<input type="checkbox"/>	Termination		
<input type="checkbox"/>	Other (specify):		
<b>Is Follow-Up Required?</b>	<input type="checkbox"/> N <input type="checkbox"/> Y   If Yes, please note follow-up date:		

**Grounds for Discipline Based On:**

<b>Check all that apply</b> <small>Double-click square to Check/Uncheck Box</small>	<b>Grounds/Justification</b>	<b>Infraction/Section</b>
<input type="checkbox"/>	Insubordination	
<input type="checkbox"/>	Conduct detrimental to the department	
<input type="checkbox"/>	Drug & Alcohol Policy	
<input type="checkbox"/>	Misuse of equipment	
<input type="checkbox"/>	Failure to comply with SJCFD Policies and Procedures	
<input type="checkbox"/>	SJCFD Code of Conduct Violation	
<input type="checkbox"/>	Other (specify):	

**Plan of Action:**

**Member Comments:**

*SAN JUAN COUNTY FIRE DEPARTMENT*

**Signatures of parties involved:**

\_\_\_\_\_  
Officer Title Date

\_\_\_\_\_  
Member Title Date