

# Central Calaveras Fire Protection District

CCFRPD Policy Manual

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## **MISSION**

The Central Calaveras Fire Protection District shall provide for life and property safety for our community, citizens and visitors from the threat of fires, medical emergencies, and hazardous materials release. This will be accomplished through planning, prevention, education, incident mitigation and appropriate application of technology.

**We will Deliver Emergency Services That:**

- (a) **Extinguish Unfriendly Fires**
- (b) **Increase Public Knowledge of Emergency Self-Help Techniques**
- (c) **Reduce Risk of Injury Resulting from Unfriendly Fires and Accidents**
- (d) **Reduce the Risk/Loss of a Wildland/Urban Intermix Fire**
- (e) **Provide Non-Emergency Services That Help Prevent the Ignition of Unfriendly Fires**
- (f) **Intercede During Hazardous Materials Incidents to Protect Nearby Persons, Environment and Property**
- (g) **Intercede During Medical Emergencies to Prevent Deterioration of the Patient's Condition**

The Central Calaveras Fire Protection District shall be dedicated to providing such services in the most efficient and cost effective manner possible.

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## **FIREFIGHTER CODE OF ETHICS**

As a firefighter and member of the Central Calaveras Fire Protection District, my fundamental duty is to serve the community; to safeguard and preserve life and property against the elements of fire and disaster; and maintain a proficiency in the art and science of fire engineering.

I will uphold the standards of my profession, continually search for new and improved methods and share my knowledge and skills with my contemporaries and successors.

I will not allow personal feelings, nor danger to self, deter me from my responsibilities as a firefighter.

I will at all times, respect the property and rights of all men and women, the laws of my community and my country, and the chosen way of life of my fellow citizens.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the fire service. I will never use my official position to obtain advantages or favors for myself, my friends or family.

I will constantly strive to achieve the objectives and ideals, dedicating myself to my chosen profession—saving of life, fire prevention and fire suppression.

As a member of the Central Calaveras Fire Protection District, I accept this self-imposed and self-enforced obligation as my responsibility.

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## **MEMBER VALUES**

All members, paid and volunteer, are expected to read and become familiar with the Standards of Conduct contained herein.

All members of the Central Calaveras Fire District recognize the need to operate with a common set of values and to express those values in his/her work.

All members understand that the District exists to serve the public and the quality of our service is defined as performing up to the expectations of our citizens.

All members agree to fulfill individual responsibilities with integrity, honesty and professionalism.

All members recognize that people are the District's most valuable resource and fundamental to the District's success as an organization is the need to treat each other with dignity, to support each individuals strengths, to help each other improve on weaknesses and to promote mutual trust and respect for one another.

All members agree to participate in training and career development opportunities that enable every member to become an excellent performer.

All members agree to practice open and timely two-way communication.

All members agree to practice economy in the use of supplies and metered services (electricity, fuel, propane, etc.).

All members agree to take pride in all the services provided by the District and in the quality of work performed.

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## **Chapter 1 - Fire Service Role and Authority**

## Fire Service Authority

### 100.1 PURPOSE AND SCOPE

This policy describes the legal authority of the District and the individual members.

### 100.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to limit its members to only exercise the authority granted to them by law.

The Central Calaveras Fire & Rescue Protection District is organized under the State of California Fire Protection District Law of 1987 (Health & Safety Code §13800, et seq.).

While the Central Calaveras Fire Protection District recognizes the authority of members granted to them, members are encouraged to use sound discretion in the exercise of their authority, and this district does not tolerate abuse of authority.

### 100.3 ORGANIZATIONAL POWERS

This district is authorized to perform the following:

- (a) Fire suppression
- (b) Provision of Emergency Medical Services (EMS)
- (c) Rescue from hazardous conditions
- (d) Public education on Fire Safety and Prevention

### 100.4 FIREFIGHTER POWERS

Firefighters are sworn members of this district and have the following authority:

- (a) Participate in a wide range of emergency and rescue activities, including EMS, extrication and heavy rescue
- (b) Perform fire suppression duties, including the suppression of structural, aircraft, wildland and other types of fires
- (c) Investigate causes of fires
- (d) Collect and preserve evidence when a fire is of a suspicious origin
- (e) Possess peace officer status when serving as a fire investigator or Fire Marshal (Penal Code § 830.37)
- (f) Perform specialty services, including hazardous materials response, technical rescue, water rescue and additional services as authorized by the Fire Chief
- (g) Provide public education and fire prevention activities and services

### 100.5 CONSTITUTIONAL REQUIREMENTS

When exercising their authority, members shall observe and comply with every person's clearly established rights under the United States and California Constitutions.



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## *Fire Service Authority*

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### **100.6 SUPERVISORY AUTHORITY**

Any chief officer may relieve a member under his/her command from duty when, in his/her judgment, an offense committed is sufficiently serious to warrant immediate action. A report of such action shall be made immediately through the appropriate channels to the appropriate Captain, followed by written documentation of the charges, in accordance with district procedures. All such processes shall comply with established rules, regulations and applicable collective bargaining agreements.

## Chief Executive Officer

### 101.1 PURPOSE AND SCOPE

The Fire Chief shall be the Chief Executive Officer

### 101.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to have a highly qualified Chief Executive Officer.

## Oath of Office

### 102.1 PURPOSE AND SCOPE

This policy establishes the oath of office for all sworn personnel of this district.

### 102.2 OATH OF OFFICE

Upon employment, all sworn personnel shall be required to affirm the oath of office expressing commitment to support and defend the Constitution of the United States and the Constitution of the State of California (California Constitution, Article 20, Section 3 and Government Code § 3102). The oath shall be as follows:

I, [employee name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

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# Policy Manual

## 103.1 PURPOSE AND SCOPE

The Policy Manual of the Central Calaveras Fire Protection District is hereby established and shall be referred to as the "Policy Manual." The Policy Manual is a statement of the current policies, rules, and guidelines of this district. All district members are expected to conform to the provisions of this Policy Manual. All prior and existing policies, manuals, orders, and regulations that are in conflict with this Policy Manual are revoked, except to the extent that portions of the existing policies, manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this Policy Manual.

## 103.2 POLICY

Except where otherwise expressly stated, the provisions of this Policy Manual shall be considered guidelines. It is recognized that fire and rescue work is not always predictable, and circumstances may arise that warrant departure from these guidelines.

It is intended that the provisions of this manual be viewed using an objective standard, taking into consideration the sound discretion entrusted to the members of this district under the circumstances reasonably available at the time of any incident.

### 103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract, nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Central Calaveras Fire Protection District and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the District, its officials, or members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The Central Calaveras Fire Protection District reserves the right to revise any policy content, in whole or in part.

### 103.2.2 SEVERABILITY

In the event that any term or provision of this Policy Manual is declared illegal, invalid, or unenforceable by any court or any federal or state government agency, the remaining terms and provisions that are not affected shall remain in full force and effect. If any provision of the Policy Manual is found to be in conflict with a local, state, or federal law, District policy, or collective bargaining agreement, such law, District policy, or collective bargaining agreement shall take precedence over that provision of the Policy Manual.

In the event that any of the terms or provisions of the Policy Manual are determined to conflict with any portion of a collective bargaining agreement, the District will seek to resolve the conflict.

## 103.3 RESPONSIBILITIES

The responsibility for the contents of this Policy Manual rests with the Board of Directors.

## *Policy Manual*

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### 103.3.1 FIRE CHIEF

The Fire Chief shall be considered the ultimate authority for the provisions of this manual and shall continue to issue, as needed, directives that shall modify those provisions of the manual to which they pertain. Any directive so issued shall remain in effect until such time as they may be permanently incorporated into the manual.

### 103.3.2 OTHER PERSONNEL

Any member suggesting revision of the contents of the Policy Manual shall forward the suggestion through the chain of command to the Fire Chief.

## **103.4 FORMATTING CONVENTIONS FOR THE POLICY MANUAL**

The purpose of this section is to provide examples of abbreviations and definitions used in this manual.

### 103.4.1 ACCEPTABLE ABBREVIATIONS

The following abbreviations are acceptable substitutions in the manual:

- Policy Manual sections may be abbreviated as “Section 106.4” or “§ 106.4.”

### 103.4.2 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**District** - The District of Central Calaveras.

**Civilian** - Members and volunteers who are not sworn employees.

**District/CCFRPD** - The Central Calaveras Fire Protection District.

**Employee** - Any person employed by the District.

**Fire Code** - The 2015 edition of the International Fire Code as adopted by the State of California and the incorporated California amendments (Health and Safety Code § 18928).

**Firefighter/Sworn or appointed** - Those members, regardless of rank, who perform fire suppression duties as part of their primary duties as sworn or appointed members of the Central Calaveras Fire Protection District.

**Manual** - The Central Calaveras Fire Protection District Policy Manual.

**May** - Indicates a permissive, discretionary, or conditional action.

**Member** - Any person employed or appointed by the Central Calaveras Fire Protection District, including:

- Full- and part-time employees
- Sworn or appointed firefighters

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### *Policy Manual*

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- Civilian employees
- Support Volunteers

**On-duty** - Member status during the period when he/she is actually engaged in the performance of his/her assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**Rank** - The job classification title held by a firefighter.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Supervisor** - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other district members, directing the work of other members, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., firefighter-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

### **103.5 DISTRIBUTION OF THE POLICY MANUAL**

An electronic version of the Policy Manual will be made available on the district network for access by all employees. The electronic version will be limited to viewing and printing specific chapters or sections. No changes shall be made to the electronic version without authorization from the Fire Chief or the authorized designee.

### **103.6 POLICY MANUAL ACCEPTANCE**

As a condition of employment, all members are required to read and obtain necessary clarification of this Policy Manual. All are required to sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Policy Manual and understand that they are responsible to read and become familiar with its content.

### **103.7 REVISIONS TO POLICIES**

All members are responsible for keeping abreast of all Policy Manual revisions. All changes to the Policy Manual will be posted on the district Intranet.

The Fire Chief will forward notice of revisions to the Policy Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return email, review the revisions, and seek clarification as needed.

Each supervisor/manager will ensure that members under his/her command are aware of any Policy Manual revisions.

## **Chapter 2 - Organization and Administration**

## Organizational Structure

### 200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the organizational structure of the Central Calaveras Fire Protection District. This policy also provides guidance regarding the district's reporting process through the chain of command.

### 200.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to organize its resources in a manner that allows for effective and efficient service delivery to the public. To ensure effective organizational communication, members should generally adhere to the established chain of command unless there is a good faith and reasonable basis for utilizing an alternate channel of communication.

### 200.3 DIVISIONS

The Fire Chief is responsible for managing the Central Calaveras Fire Protection District. It is the responsibility of the Fire Chief to prepare and maintain a current organizational chart.

### 200.4 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the District. Generally, each member is accountable to a single supervisor at any time for a given assignment or responsibility. Except where specifically delegated or where authority exists by virtue of policy or a special assignment (e.g., emergency incidents), any supervisor may temporarily direct any subordinate if an operational need exists.

### 200.5 CHAIN OF COMMAND

Respect for rank is essential for administrative and operational efficiency. All members of the Central Calaveras Fire Protection District shall adhere to the chain of command. All members shall be thoroughly familiar with the Incident Command System (ICS) and operate within its parameters throughout the duration of all emergency incidents.

A supervising or commanding officer will be identified for each district member. This supervisor/commanding officer is the first step in the organizational chain of command, followed by the next level of commanding officer as set forth in the district's organizational structure. In the event that no supervisory officer is available, rank will be determined by seniority in rank.

Members of the Central Calaveras Fire Protection District shall generally conduct district business through the established chain of command. Members shall consult with and report to their commanding officer/supervisor when making recommendations for changes, alterations or improvements concerning district matters. Members shall forward all reports and recommendations through the chain of command. The submission should include written comments from the member's immediate supervisor to indicate whether he/she approves of the



# Central Calaveras Fire Protection District

## CCFRPD Policy Manual

### *Organizational Structure*

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recommendation. No memo or recommendation should be stopped in the chain of command before it reaches its intended destination/officer.

Other than the exceptions set forth below, no member of the Central Calaveras Fire Protection District shall initiate contact with any member of the governing board or with any other local, regional, state or federal official regarding any matter affecting the Central Calaveras Fire Protection District without having first informed the Fire Chief through the chain of command.

#### **200.6 DIRECTIVES AND ORDERS**

Members of the Central Calaveras Fire Protection District shall make a good faith and reasonable effort to comply with lawful orders of superior officers. Refusal to comply with a lawful order may result in disciplinary action.

#### **200.7 ALTERNATE CHANNELS OF COMMUNICATION**

All members shall endeavor to keep their supervisors informed of any matters that may affect the safety, welfare or operations of the District.

As a general matter, any concern about a workplace situation should first be raised with the member's immediate supervisor. It is recognized, however, that there may be occasions where the use of the normal chain of command may not be appropriate. If an issue is of a personal nature, involves a sensitive matter, is of significant importance to the District or involves other members or supervisors, the member may consult directly with the Fire Chief, the Fire Chief or a representative of the Administration.

All members are free to make or prepare to make, in good faith, any complaint that identifies ethical or legal violations, including fraud, waste, abuse of authority, gross mismanagement, violations of the law or practices that may pose a threat to health, safety and security without fear of actual or threatened discrimination, retaliation or reprisal. Such complaints may be made to any supervisor or directly to the Administration. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, applicable law, ordinance or collective bargaining agreement.

Any form of reprisal or retaliation against any member for making or filing a complaint in good faith or for participating in the investigation of a complaint is prohibited. Any member engaging in any form or type of reprisal or retaliation is subject to discipline.

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## Emergency Action Plan and Fire Prevention Plan

### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for member and visitor safety in the event of an emergency at any district facility and ensure compliance with state regulations mandating all employers to develop and maintain an Emergency Action Plan (EAP) and a Fire Prevention Plan (FPP) (Labor Code § 142.3; 8 CCR 3220; 8 CCR 3221).

### 201.2 POLICY

The Central Calaveras Fire Protection District is committed to preparing for natural or human-created emergency incidents and providing for the safety of its members and visitors.

### 201.3 EMERGENCY ACTION PLAN AND FIRE PREVENTION PLAN

The Fire Chief or his/her designee will develop and maintain an EAP and FPP to provide for the safety of district members and visitors in the event of an emergency. The EAP and FPP will address the specific requirements contained in 8 CCR 3220 and 8 CCR 3221, and will address all buildings, facilities and regular places of work or visitor access that are controlled by the District. The plan also will address actions that members of the District must take to ensure their safety and that of visitors from fire and other emergencies.

- (a) The EAP shall be in writing and its elements shall include, but are not limited to (8 CCR 3220):
  - 1. Emergency evacuation procedures, including escape procedures and emergency escape route assignments.
  - 2. Procedures to be followed by members who remain to conduct critical facility operations before they evacuate.
  - 3. Procedures to account for all members and visitors after an emergency evacuation has been completed.
  - 4. Rescue and medical duties.
  - 5. Means of reporting fires and other emergencies.
  - 6. Names and regular job titles of persons or departments that can be contacted for further information or an explanation of duties under the plan.
  - 7. The alarm system that will be used to notify members and visitors in the event of a fire or other emergency situation.
  - 8. The types of evacuations to be used in emergency circumstances.
- (b) The FPP shall be in writing and its elements shall include, but are not limited to (8 CCR 3221):
  - 1. Potential fire hazards and their proper handling and storage procedures, potential ignition sources (e.g., welding, smoking) and their control procedures,

# Central Calaveras Fire Protection District

CCFRPD Policy Manual

## *Emergency Action Plan and Fire Prevention Plan*

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and the type of fire protection equipment or systems that can control a fire involving them.

2. Names and regular job titles of those responsible for maintaining the equipment and systems installed to prevent or control ignitions or fires.
  3. Names and regular job titles of those responsible for controlling the accumulation of flammable or combustible waste materials.
  4. Procedures to control the accumulation of flammable and combustible waste.
  5. Maintenance procedures for heat-producing equipment to prevent accidental ignition of combustible materials.
- (c) The written EAP and FPP shall be kept at each district workplace or facility and made available for member and visitor review.

### **201.4 TRAINING**

The District will provide state-mandated training supporting the EAP and FPP to all members and also to those persons who become members at the time they are assigned to the facility, as described in the Emergency Action Plan and Fire Prevention Plan Training Policy (8 CCR 3220; 8 CCR 3221).

## District Directives

### **202.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish a process to make immediate changes to district policy. District directives will immediately modify or change and supersede the sections of this manual to which they pertain.

### **202.2 POLICY**

It is the policy of the Central Calaveras Fire Protection District to make any immediate changes to policy and procedure as permitted by Government Code § 3500 et seq. Generally the establishment of district directives is management's prerogative but employee participation may be sought in the development of those policies.

### **202.3 RESPONSIBILITIES**

The Fire Chief shall issue all district directives.

All district officers shall be responsible for communicating district directives to all members in their command.

District directives will be rescinded upon incorporation into the manual.

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## Training Policy

### 203.1 PURPOSE AND SCOPE

It is the policy of this district to administer a training program that will provide for the professional growth and continued development of its members. By doing so, the District will ensure its members possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

### 203.2 POLICY

The District seeks to provide ongoing training and encourages all members to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, the requirements of a given assignment, staffing levels and legal mandates.

Whenever possible, the District will use courses certified by the California Office of the State Fire Marshal (OSFM), the California Fire Service Training and Education System (CFSTES), the U.S. Department of Homeland Security or other accredited entities.

### 203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of emergency services to the public.
- (b) Increase the technical expertise and overall effectiveness of district members.
- (c) Provide for continued professional development of district members.
- (d) Reduce risk and enhance safety.

### 203.4 TRAINING PLAN

A training plan will be developed and maintained by the Training Officer. It is the responsibility of the Training Officer to maintain, review and update the training plan on an annual basis, ensuring that all mandated training is achieved. All training records will be maintained in accordance with established records retention schedules.

### 203.5 TRAINING NEEDS ASSESSMENT

The Training Officer will conduct an annual training needs assessment. The needs assessment will be reviewed by command staff. Upon approval by the Fire Chief, the needs assessment will form the basis of the training plan for the following year.

# California Fair Political Practices Commission Filings

## 204.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a uniform method for complying with the Fair Political Practices Commission (FPPC) requirements, for designated members to report all potential economic conflicts of interest to the District.

## 204.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to comply with state requirements, and designate certain job classifications as required to file a Statement of Economic Interests (Government Code § 87300).

## 204.3 PROCEDURE

The District requires certain job classifications to file a Statement of Economic Interests (Government Code § 87300). These job classifications have been identified based on the opportunity for personal gain that could result from official actions as a member of this district.

## 204.4 DISTRICT RESPONSIBILITIES

The Fire Chief shall designate a person to be the Conflict of Interest Filing Officer for the District, who shall be responsible for administering the filings in accordance with applicable laws.

All Statement of Economic Interests filings shall be screened for compliance by the Conflict of Interest Filing Officer. Members in designated classifications are required to disclose certain economic interests, which may include investments, interests in real property, income and business interests. All information provided by members on the Statement of Economic Interests is a matter of public record.

### 204.4.1 FILING REQUIREMENTS

Members in designated job classifications must file the following type of statements:

- Assuming office statement within 30 days after assuming office
- Annual statement due by April 1 each year
- Leaving office statement within 30 days after leaving the position

### 204.4.2 FILING PROCESS

The filing process is administered by the Conflict of Interest Filing Officer and includes the following procedures:

- A Statement of Economic Interests form and filing instructions shall be distributed annually to designated district members. Additionally, forms shall be sent to designated members upon notice of appointment or termination.

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### *California Fair Political Practices Commission Filings*

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- A completed Statement of Economic Interests shall be returned to the Conflict of Interest Filing Officer by the date indicated on the instructions.
- The Conflict of Interest Filing Officer shall screen the Statement of Economic Interests for completeness, potential conflicts of interest and to ensure all designated members have filed a statement, in accordance with FPPC regulations.
- Upon completion of the screening process, the Conflict of Interest Filing Officer shall retain the original for a period of time in accordance with the FPPC and the district's established records retention schedules.
- A list of all district members with potential conflict situations will be compiled and maintained in the Administration Division.
- Any change to the FPPC filing process shall be submitted to the governing body for review and approval.

#### 204.4.3 REPORTING REQUIREMENTS

All members are required to report potential conflicts of interest even if they are not in a designated classification. All members are disqualified from participating in government decisions in which they have, or appear to have, a financial interest (Government Code § 87100). When a potential conflict of interest situation arises, it must be reported immediately through the chain of command to the member's immediate supervisor and then the Conflict of Interest Filing Officer.

#### 204.4.4 RESOLUTION & DESIGNATED CLASSIFICATIONS

The Conflict of Interest Filing Officer shall be responsible for preparing and presenting to the Board of Directors an annual Resolution affirming the adoption of a Conflict of Interest Code and designation of classifications required to complete a Statement of Economic Interests document in accordance with FPPC regulations.

## Liability Claims

### **205.1 PURPOSE AND SCOPE**

This policy provides guidelines for the management of all claims, including personal injury and property loss or damage, filed against the District.

### **205.2 POLICY**

It is the policy of this district to evaluate and resolve claims in a timely manner, as appropriate.

### **205.3 RESPONSIBILITY**

The Fire Chief is designated as the risk manager and will receive, investigate and evaluate any claim for loss or damage received by the District.

Any member of this district who becomes aware of any potential for a claim or lawsuit, or who receives a formal written claim against the District, shall forward the information to the risk manager as soon as practicable.

### **205.4 RESPONSE TO CLAIMS**

The risk manager will investigate all claims for money or damages received and will resolve claims as appropriate and within guidelines approved by the Fire Chief and the District's governing body.

If a claim is deficient or incomplete, the risk manager should notify the claimant within 20 days and specify the defects (Government Code § 910.8).

The risk manager should ensure the claim is accepted or rejected by the district's governing body within 45 days. Notice of acceptance or rejection should be given to the complainant in writing and in compliance with state law. If a claim is rejected because it was filed late, the notice should state that the claim was returned as untimely but that the claimant may apply promptly to the District for a leave to file a late claim (Government Code § 912.4; Government Code § 913; Government Code § 911.3).

The risk manager should ensure an application for permission to file a late claim is acted upon by the district's governing body within 45 days (Government Code § 911.6).



## **Administrative Communications**

### **207.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines, format and authority levels for the various types of administrative communication documents in existence within the District.

### **207.2 POLICY**

It shall be the policy of this district to control the use of the name of the District and the use of letterhead, and to ensure that official administrative communications follow a specific format and are released only by persons with the authority to do so.

### **207.3 PERSONNEL ORDERS**

Personnel orders may be issued periodically by the Fire Chief to announce and document promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

### **207.4 CORRESPONDENCE**

In order to ensure that the letterhead and name of the District are not misused, all external correspondence shall be on district letterhead. All district letterhead shall bear the signature element of the Fire Chief in addition to the actual signature of an authorized signer. Members of the District may use letterhead only for official business and with approval of their supervisor.

### **207.5 MEMORANDUMS**

Memorandums are a necessary and important component of effective operations at all levels of the District. For the purposes of clarity and to ensure appropriate distribution of written communications, all memorandums between district members shall utilize a standardized format.

Memorandums typically are used to memorialize and/or summarize communication and facts. Memorandums can be generated by a supervisor and sent to subordinates or a group of subordinates to give direction, clarify a policy decision or request an action by another division. A memorandum also may be written by line-level members to communicate information. If the recipient is of higher rank than the member's immediate supervisor or is outside the District, the information should be approved by the proper chain of command before being forwarded to the recipient.

Recommendations for a standardized district memorandum format: a standard heading including the name of the District, the date of the memorandum, the intended recipient of the memorandum, the name, rank and division of the district member creating the memorandum, and a brief statement of the subject of the memorandum.

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### **207.6 FACSIMILE COVER SHEETS**

All outgoing facsimile transmissions should include a standard district cover sheet as the first page of the transmission. The name of the member sending the facsimile should be clearly printed on the cover sheet along with all other pertinent information.

### **207.7 SURVEYS**

All surveys made in the name of the District shall be authorized by the Fire Chief or the authorized designee.

## Control of Resources

### 209.1 PROCEDURE

- (a) Under such guidelines and limitations as might be established by the Board of Directors, the Fire Chief shall have operational control over the placement and movement of all District equipment and personnel within the District to best serve primary and secondary operational functions.
- (b) Under such guidelines and limitations as might be established by the Board of Directors, the Fire Chief shall have operational control over the movement of District equipment to incidents, requests for assistance, training exercises, public relations events, etc. that are outside District boundaries.
  - 1. The Fire Chief shall notify a representative of the Board should such movement of equipment outside the County involve one or more District fire apparatus.
- (c) In the absence of the Fire Chief and under such guidelines and limitations as might be established by the Board of Directors, the Duty Officer shall have the authority to move District equipment and personnel to “immediate need” (i.e. mutual aid) incidents that are outside District boundaries. The Duty Officer shall advise the Fire Chief as soon as practical when one or more District Apparatus is outside of the District boundaries.
- (d) In the absence of the Fire Chief, the Duty Officer will seek the authorization of the Fire Chief for “non-immediate need” requests which involve movement of District equipment to incidents (i.e. Strike Team and other requests for assistance), requests for assistance, training exercises, public relations events, etc. that are outside District boundaries.
- (e) Under such guidelines and limitations as might be established by the Board of Directors, the Fire Chief is authorized to leave the District as a participating member of a mutual or automatic aid response.
  - 1. The Fire Chief shall notify a representative of the Board if the mutual or automatic aid request is outside of the County.
- (f) Policies governing procedures for payments and compensations made to the District for personnel, paid and volunteer, as a result of requests for mutual aid shall be covered in the personnel section of this manual.

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## District Finance Procedures

### 210.1 ACCOUNTING PROCEDURES

- (a) The District shall maintain a secondary system of accounting independent of the County Auditor.
- (b) The District's accounting procedures shall include provisions for identifying and tracking all sources of income and expenditures.
- (c) The District shall conduct monthly reconciliations between records provided by the County Auditor's Office and the District's independent accounting system.
- (d) As directed, District staff shall provide financial reports and summaries to the Board of Directors.
- (e) The District shall maintain an accounting or inventory of all equipment, tools, clothing, and vehicles that individually have an original cost of more than \$500.
- (f) The District shall contract to have an independent audit of financial records conducted bi-annually.

### 210.2 EXPENSE AUTHORIZATION

- (a) Individual Board members shall not expend District funds or otherwise financially obligate the District.
- (b) Under such limitations and guidelines as established by the Board of Directors, authorization to make purchases, maintain equipment, and maintain facilities may be delegated to staff.
- (c) Under such guidelines as may be established by the Board, and only at such time as adequate revenues have been posted, the Fire Chief is authorized to purchase line items approved within the adopted budget.
- (d) All expenditures shall be paid by District warrants. All warrants shall have two authorized signatures consisting of the Fire Chief and the District's Board Treasurer or another Board Member.
- (e) Transfers of unanticipated revenues, unencumbered reserves, and designated reserves into expenditure accounts shall have Board approval.
- (f) The Fire Chief is authorized to make non-budgeted purchases, and/or initiate repairs not to exceed \$500.00, for emergency equipment lost, damaged, or otherwise needed to keep apparatus and emergency vehicles in a safe operational condition.
- (g) Any expenditure outside the adopted budget, in excess of five hundred dollars (\$500), should have Board approval prior to purchase unless said purchase is deemed an emergency. In the event of an emergency, the Fire Chief should contact at least one member of the Board in the following order: The Treasurer, the President, the Vice President, and the Secretary.
- (h) In the absence of the Fire Chief, the Duty Officer shall contact at least one member of the Board in the following order: The Treasurer, the President, the Vice President,

# Central Calaveras Fire Protection District

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and the Secretary, for approval of emergency purchases or repairs. These Board Members are authorized to approve such repairs and expenditure as may be necessary to keep emergency equipment and vehicles in a safe, operational condition.

- (i) Under limitations as established by the Board within Policy Series 5070, for the purpose of efficiency of maintaining ongoing daily operations, open-capped purchase order accounts at designated retail businesses may be authorized by the Board.
- (j) All purchases made for the District by staff shall be authorized by the Fire Chief and shall be in conformance with the approved District budget
  1. EXCEPTIONS: Shift personnel are authorized to encumber open-capped District purchase orders at local retailers for items necessary to maintain ongoing daily operations.
  2. Without authorization from the Fire Chief or Board, individual purchases made on open-capped purchase orders shall be limited to \$50.00.
- (k) Calaveras County Recycling / Disposal Fees (Dump Gate Fees)
  1. Calaveras County Recycling and Disposal Fees (Gate Fees) are imposed when large items, construction debris, tires, appliances, furniture or other non-household items are disposed of at a County Dump substation.
  2. The Calaveras County Auditor manages the Calaveras County Recycling and Disposal Account. When Central Fire needs to dispose of items that will incur a charge a Journal Entry (JE) JE Form will be required to make the payment. The County Auditor has supplied the org and code number for the JE to ensure the form is processed correctly. The JE form must be approved by a Fire Captain or the Fire Chief before submission. A JE form is available on the District's DashBoard.
  3. The Waste Facility will keep the completed JE form and send to the County Auditor for processing and payment.
  4. A receipt will be given at the time of the transaction. The District member making the transaction will be responsible for completing the District's Purchase Log Procedure.
- (l) A District Checking Account shall be maintained for incidental "out of pocket" expenditures and reimbursement. A maximum balance of \$2000 shall be maintained in this account. The Fire District will not maintain a petty cash fund or maintain cash funds at the District Office. Checks written upon the District Checking Account shall have two authorized signatures consisting of the Fire Chief and the District's Board Treasurer or another Board Member. Whenever employees or Directors of the District incur "out-of-pocket" expenses for items or services appropriately related to District business as verified by valid receipts, said expended cash shall be reimbursed upon approval by the Fire Chief from the District Checking Account. Reimbursements for valid "out-of-pocket" expenditures which exceed the amount available in the District Checking Account. shall be reimbursed by issuing a warrant from the appropriate expense account.

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- (m) The District Checking Account shall be replenished by issuing a warrant from the appropriate expense account.
- (n) Employees or directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official District business.
- (o) EXCEPTION: It shall be the policy of the District that public funds shall not be used for the purchase of alcoholic beverages.
- (p) EXCEPTION: Reimbursement for the cost of the use of a private vehicle is not authorized. CCFRPD will attempt to make a District owned vehicle available when a District member is required to travel for District business.

### **210.3 PURCHASING PROCEDURES**

- (a) Purpose:
  - 1. Ensure all District cash disbursements and expenditures are valid, legitimate, identified to an appropriate budgeted County "Object Code" and approved by a person who was not involved in the procurement and receipt process.
- (b) Responsibilities:
  - 1. The District Treasurer and Fire Chief have primary responsibility for the approval process. In the event the Treasurer will not be available to approve payment of invoices, receipts, or reimbursements, the Treasurer shall designate another Director to perform the function.
  - 2. The District Administrative Assistant ("Admin") reviews all invoices, receipts, and reimbursements submitted for payment approval and shall ensure that items are assigned an appropriate Object Code.
- (c) Approval Process:
  - 1. These steps should ensure all supplies and equipment purchased, by or for the District, are necessary and legitimate for District purposes:
    - (a) Upon purchasing an item, the person purchasing the items records on the District's Purchase Log (Dashboard) the vendor, the item purchased, the date, the amount, and the method of purchase. The invoice or receipt shall be delivered to the District Admin who shall record the "best fit" Object Code. This object Code shall be recorded on the Fire District's Purchase Log.
    - (b) Since the Fire Chief is typically involved in the procurement process, either directly or by authorizing others to procure items, his/her approvals are limited to items ordered or bought by Directors.
    - (c) The Admin and Treasurer (or Chief) coordinate to select times during the month to approve payment of invoices, bills, receipts, etc., that will be submitted to the County for payment, or paid using a District check or credit card.
    - (d) Invoices, bills, and other requests for payments received on or before the 3rd of each month shall be paid by District warrant by Transmittal approval

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occurring at the Board of Directors meeting occurring on the second Thursday of each month. Invoices, bills, and other requests for payments received after the 3rd of each month shall be paid by District warrant by Transmittal approval occurring at the Board of Directors meeting occurring following month

- (e) The Treasurer or Chief reviews each document and verifies the items procured are legitimate for District purposes and assigned to an appropriate Object Code. Approval to pay is indicated by the approver's dated signature. The rubber stamp provides spaces for these.
  - (f) Apparently invalid or otherwise questionable invoices, etc., are not approved for payment or reimbursement until resolved.
- (d) Records:
1. The Admin shall retain approved-to-pay invoices, etc, attached to the Credit Card statement (which is attached to a Transmittal), Transmittal, or copy of District check, in files or binders for each month and year. Retention period: Permanent.

## **Chapter 3 - Board of Directors**



## Board Organization

### 300.1 AUTHORITY

- (a) The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
- (b) Directors do not represent any fractional segment of the community, but are, rather, a part of the body which represents and acts for the community as a whole.
- (c) The laws governing the authority, responsibility, and liability of the Board of Directors, as well as their powers and duties as Directors, shall be as outlined in the Fire Protection District Law of 1987.
- (d) The Board shall be responsible to the electors for all actions taken by the Board and shall be ultimately responsible for the operation of the District's fire service delivery system.
- (e) Through various policies, rules, and regulations, the Board may delegate the daily operation of the District's fire service delivery system to the Fire Chief of the District.

### 300.2 SEATING OF NEW BOARD MEMBERS

- (a) The Board of Directors of the Central Calaveras Fire District, hereinafter referred to as the Board, shall consist of five members elected at-large.
- (b) Elections for Board positions shall be held in even-numbered years with three positions, then two positions, being elected every other year.
- (c) The term of office of a Board Member shall be four years.
- (d) The Uniform District Election Law, Part 3, 23509, allows newly elected Board members to take office on the first Friday of December following their election.
- (e) Board members shall be sworn in as an order of business during the regular December meeting of the Board and shall begin their term of office effective 12:00 p.m. the first Friday of December.

### 300.3 BOARD OFFICERS

- (a) The Board should hold annual elections at its November meeting for President, Vice President, Secretary and Treasurer. The terms for office should commence on first day of December and last for a term of one year. The Vice President should become president upon the death, incapacitation, resignation, removal or absence of the President. In the case that the Vice President succeeds to the Presidency, the Board should elect a new Vice President at its next meeting.
- (b) President Duties
  1. The President should be the presiding officer of the Board, ensuring proper protocol is followed for all agenda items and that the agenda is followed unless an exception is voted on and approved by the Board. The President

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should sign all documents on behalf of the Board and District that may be required. The President should appoint a Director to act as Secretary in the event of the Secretary is absent and the Board adjourns to closed session. The President should have the same rights and responsibilities as other Directors to participate in and vote at Board meetings.

(c) Vice President Duties

1. The Vice President should serve as acting president in the absence of the President.  
The Vice President should become president upon the death, resignation, or removal of the President.

(d) Secretary Duties

1. The Secretary should keep minutes of all agendized meetings, including regular, special and emergency Board meetings. The Secretary should be responsible for posting of Board meetings in accordance with the Brown act.  
The Secretary should have five business days to complete and post the minutes of any agendized meetings.  
The Secretary may delegate to the Administrative Assistant of the District his/her duties, however this does not relieve the Secretary of the legal responsibilities to be executed by that office.

(e) Treasurer Duties

1. The Treasurer duties include signing payroll, and vendor invoices prior to the monthly transmittal being presented to the Board for approval. Treasurer also serves on the Finance Committee to provide current and historical input to facilitate for any changes necessary to the annual budget during the budgeted year. The Treasurer along with the Fire Chief review the annual needs for operations and administration of the District to determine the new annual budget prior to it being submitted to the Finance Committee and subsequently to the Board for approval. The Treasurer duties also include the assurance that an annual audit is conducted.

### **300.4 MEMBERS OF THE BOARD**

- (a) The members of the Board of Directors have ultimate responsibility to the lawful and efficient operation of the District.
- (b) They are the disciplinary body for the Fire Chief, and may act as the administrative board in all disciplinary hearings involving all employees.
- (c) It is their responsibility to ratify all annual budgets and expenditures and to participate in and/or ratify annual salaries, wages and benefits.
- (d) The members of the Board of Directors set the official policy of the District. Said policies are to be mindful of the legal and constitutional rights of all employees and are to be set with care and in accordance with law.
- (e) Board members are entitled to enter into all contracts on behalf of the District as are within the scope of their authority and in the line of duty and are not personally liable

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thereon unless it is clear by the terms of the contract that the Board members intended to bind themselves personally. However, any contracts which exceed the authority given to the Board members may subject the Board members to personal liability for the amounts due thereunder.

- (f) Board members are expected to be familiar with the rules of the Brown Act regarding open meetings, required notice therefor, and the requirements for entering into closed session. Participation in retroactive feigned compliance with Brown Act meeting requirements could subject a Board member to criminal liability. All Board members should be aware of any issue of self-dealing and should abstain from voting on any questions in which the member is interested, or on those involving issues which could somehow effect their tenure.
- (g) Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.
  - 1. Information that is exchanged before meetings shall be distributed through the Fire Chief and all Directors will receive all information being distributed.
- (h) Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.
- (i) Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.
- (j) Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting that the item is discussed (including, if desired, a position on abstention or dissenting vote).
- (k) Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.
- (l) Requests by individual Directors for substantive information and/or research from District staff will be channeled through the Fire Chief.

### **300.5 ATTENDANCE AT MEETINGS**

- (a) Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.
- (b) A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three (3) consecutive months except as authorized by the Board of Directors.

### **300.6 REMUNERATION AND REIMBURSEMENT**

- (a) Members of the Board of Directors do not receive a monthly "Director's Fee."

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- (b) Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with District Policy.

#### **300.7 COMMITTEES**

- (a) Ad hoc committees appointed by the Board shall act in an advisory capacity only, and members of the committee shall serve at the will of the Board.
- (b) During the regular meeting of the Board held in December of each year, the newly elected chairperson shall appoint members to the following standing committees:
  1. Finance – Should oversee and provide direction on all matters related to the financial management including but not limited to the budget, financial policies, audit and expenditure reviews. This committee may make recommendation as needed to the Board before any changes become permanent.
  2. Personnel – Should oversee and provide direction on all matters related to personnel management including but not limited to staffing, personnel benefits, promotions, and personnel actions. This committee should make recommendation to the Board before any changes become permanent.
  3. Policies and Procedures - Should oversee and provide direction on all matters related to the policies and procedures including but not limited to new, revised or deleted policies and procedures. This committee should make recommendations to the Board before any changes become permanent.
  4. Public Relations – Should act a liaison for the Board and District to disseminate information as needed or recommend by the Board to members of the public and the media.
  5. Apparatus and Building Committee – Should oversee and provide direction on all matters related to the planning and management of the District's apparatus and facilities.
- (c) Standing Committees shall have no more than two members appointed from the Board and members shall serve on the committee for one year
- (d) The chairman of a standing committee may ask a Board member not appointed to the committee to stand in for an absent committee member.
- (e) Reports and recommendations from each standing committee shall be presented to the Board as an agendized item during each regular meeting.
- (f) Reports and recommendations from special and ad hoc committees shall be presented to the Board as an agendized item during each regular Board meeting.
- (g) The Board may take action on items presented as part of a report so long as each item considered for action has been agendized as part of the committee report.
- (h) The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board Chairperson, a majority vote of

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the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

1. District policies and procedures relating to:
  - (a) Financial matters
  - (b) Staffing levels
  - (c) Employee salaries benefits

### **300.8 MEMBERSHIPS IN ASSOCIATIONS**

The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District and shall look upon such memberships as an opportunity for in-service training.

### **300.9 TRAINING, EDUCATION AND CONFERENCES**

- (a) It is the policy of Central Calaveras Fire District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District.
- (b) District administrative staff shall be responsible for making arrangements for per diem, travel, lodging and registration for Directors attending state and national seminars, workshops and conferences. All expenses shall be reported to the District by Directors, together with validated receipts.
- (c) Attendance by Directors of seminars, workshops and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.
- (d) Upon returning from seminars, workshops, or conferences where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

## Procedures of Board Meetings

### 301.1 BOARD MEETINGS GENERALLY

- (a) Meetings of the Board, as well as the meetings of those committees appointed by the Board, shall be conducted in accordance with those sections and parts of the Ralph M. Brown Act which might apply.
- (b) Regular meetings of the Board shall be held monthly on a date and time determined by the Board.
- (c) Special (non-emergency) meetings of the Board may be called at any time by the Chairperson or by a majority vote of the members of the Board under the conditions outlined in the Ralph M. Brown Act.
- (d) Notice of all regular and any special or emergency meeting of the Board shall be given within the time frames and within the manner allowed for such meetings within the Ralph M. Brown Act.
- (e) Notice of Regular meetings shall be given at least 72 hours prior to the meeting date.
- (f) Notice of Special meetings shall be given at least 24 hours prior to the meeting date.
- (g) Notices of regular and special meetings of the Board shall specify the time and place of the meeting.
- (h) An agenda shall be prepared for all regular and any special meeting of the Board which shall be posted and delivered as part of the prescribed notice procedure.
- (i) Only those items of business listed in the call for a special meeting shall be considered by the Board at any special meeting.
- (j) Notices and agendas for regular and special meetings (non-emergency) of the Board shall be sent to all Board members, the District 2 Supervisor, and all local newspapers which have requested notices and agendas. Notices may also be sent to members of the public upon written request.
- (k) Notices shall be posted in all Post Offices and Fire Stations within the jurisdiction.
- (l) All meetings of the Board shall be open to the public and all persons shall be permitted to attend any meeting, except closed sessions of the Board held in accordance with the Ralph M. Brown Act and the Bagley-Keene Open Meeting Act.
- (m) Special Meetings (emergency). In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an Emergency Special Meeting without complying with the twenty-four (24) hour notice required above.  
An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board Chairperson or Secretary in the Chairperson's absence.
  - 1. Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code Sect. 54950 through Sect.

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### *Procedures of Board Meetings*

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- 54926) shall be notified by at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the Fire Chief, or his/her designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.
2. No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the Fire Chief or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.
- (n) Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the Fire Chief may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified above.
  - (o) The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.
  - (p) Prior to each regular meeting of the Board, District staff shall prepare a "Board Packet" containing the agenda, any pertinent correspondence, staff reports, and other information relative to the meeting. These packets shall be made available or mailed to each director at least 48 hours prior to the scheduled starting time of the meeting.
  - (q) The Fire Chief shall ensure that appropriate information is available for the audience at meetings of the Board of Directors and that physical facilities for said meetings are functional and appropriate.

#### **301.2 BOARD MEETING AGENDAS**

- (a) The Fire Chief shall prepare an agenda for each regular meeting of the Board of Directors. Any Director may call the Fire Chief and request any item to be placed on the agenda no later than 5:00 p.m. on the Friday prior to the regular meeting date.
- (b) Any member of the public, through a written request to the Board, may have items agendaized for Board discussion and consideration of action. A written request to place items on the agenda must be received at least five working days prior to the scheduled date of the meeting.
  1. No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy.

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- (c) The agenda of all regular Board meetings shall contain an opportunity for the public to make comments to the Board on any items of interest or concern EXCEPT on matters concerning complaints or charges against any District employee.
  - 1. Complaints or charges against any District employee shall be initiated in the manner prescribed under Policy No. 1050 or by filing a written complaint directly with the Board.
  - 2. Charges, complaints, or allegations filed against any District employee will be handled internally or be addressed by the Board in closed session.
  - 3. If requested, a written decision will be provided to the individual filing the complaint outlining the District's response to the charges, complaints, or allegations.
- (d) The Board will normally allow a limited amount of time for any member of the public to make oral comments relative to specific items agendized for action prior to such action being taken.
- (e) This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.
- (f) An item may be added to an agenda and the Board may take action on the item only after a majority of the Board determines that an emergency situation exists as described in Section 54956.5 of the Brown Act; or
- (g) When a determination by a two-thirds of the Board's full membership, or if less than two-thirds of the members are present, a unanimous vote of those board members present, that the need to take action arose subsequent to the agenda being posted; or
- (h) The Board may take action on an item which was previously posted in connection with a properly posted regular, special or committee meeting which occurred no more than five days prior to the date on which the proposed action will be taken. (54954.2(b)(3) of the Brown Act)
- (i) Should a regular or noticed special meeting be canceled, a notice of cancelation shall be mailed and posted as prescribed.
- (j) Should a regular or special meeting need to be adjourned because of a lack of a quorum, notice of the adjournment shall be posted as prescribed.

### **301.3 BOARD MEETING CONDUCT**

- (a) Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of the District. The latest edition of Robert's Rules of Order, Revised shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert's Rules of Order, Revised.
- (b) All Board meetings shall commence at the time stated on the agenda and shall be guided by same.



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### *Procedures of Board Meetings*

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- (c) The conduct of meetings shall, to the fullest possible extent, enable Directors to:
  - 1. Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,
  - 2. Receive, consider and take any needed action with respect to reports of accomplishment of District operations.
- (d) The Board Chairperson may exercise control of the length of time and the manner of behavior of any one person or group in addressing the Board concerning any item on the agenda of a regular or special meeting as follows:
  - 1. Five (5) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter;
  - 2. No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.
  - 3. No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or another reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors as specified in this policy
  - 4. Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board's business without the audience present.
  - 5. In such an event, only matters appearing on the agenda may be considered in such a session.
  - 6. After clearing the room, the Chairperson may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.
  - 7. Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

#### **301.4 BOARD ACTIONS AND DECISIONS**

- (a) Actions by the Board of Directors include but are not limited to the following:
  - 1. Adoption or rejection of regulations or policies;
  - 2. Adoption or rejection of a resolution;
  - 3. Adoption or rejection of an ordinance;
  - 4. Approval or rejection of any contract or expenditure;

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5. Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,
  6. Approval or disapproval of matters which require or may require the District or its employees to take action and/or provide services.
- (b) Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three (3) votes to be effective. This policy applies as well to abstentions from voting. A member abstaining in a vote is considered as absent for that vote.
- (c) The Board may give directions which are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the Fire Chief.
- (d) The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Chairperson, a voice vote may be requested.
- (e) A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the Fire Chief for review and recommendation, etc.).
- (f) Informal action by the Board is still Board action and shall only occur regarding matters which appear on the agenda for the Board meeting during which said information action is taken.

#### **301.5 BOARD REVIEW OF ADMINISTRATIVE DECISIONS**

The provisions of Section 1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of Section 1094.5 of said Code. The provisions of Section 1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

The purpose of this policy is to ensure efficient administration of the District and the expeditious review of decisions rendered by the Board of Directors.

#### **301.6 MINUTES OF BOARD MEETINGS**

- (a) A record of all regular, special, or emergency meetings of the Board, except meetings held by designated committees, shall be made and maintained in the following manner:

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1. Written minutes of all regular, special, or emergency meetings of the Board, except meetings of designated committees, shall be made and kept on file.
  2. Any recordings or notes made during closed sessions of the Board are deemed not to be public records and shall be stored in locked cabinet or vault.
  3. Motions, resolutions or ordinances shall be recorded as having passed or failed, and individual votes will be recorded unless the action was unanimous.
  4. All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each calendar year.
  5. The official approved minutes of meetings shall be maintained in a bound file by fiscal year and shall be stored and archived in a manner ensuring preservation in accordance with the State of California Fire Protection District Law of 1987 (Health & Safety Code §13800, et seq.).
  6. Resolutions and ordinances adopted by the Board shall be maintained in a bound file and stored and archived in a manner ensuring preservation in accordance with the State of California Fire Protection District Law of 1987 (Health & Safety Code §13800, et seq.).
  7. The minutes of each regular, special, or emergency meeting of the Board shall be sent to each Director, local newspapers which have requested minutes, and the District 2 Supervisor.
- (b) The minutes of Board meetings shall be maintained as hereinafter outlined:
1. Procedure:
    - (a) Date, place and type of each meeting;
    - (b) Directors present and absent by name;
    - (c) Call to order;
    - (d) Arrival of tardy Directors by name;
    - (e) Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon;
    - (f) Adjournment of the meeting;
    - (g) Record of written notice of special meetings; and,
    - (h) Record of items to be considered at special meetings.
  2. Board Actions:
    - (a) Approval or amended approval of the minutes of preceding meetings;
    - (b) Complete information as to each subject of the Board's deliberation;
    - (c) Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
    - (d) All Board resolutions and ordinances in complete context, numbered serially for each calendar year;

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- (e) A record of all contracts entered into;
- (f) All employments and resignations or terminations of employment within the District;
- (g) A record of all bid procedures, including calls for bids authorized, bids received and other action taken;
- (h) A record by warrant number of all warrants approved for payment;
- (i) Adoption of the annual budget;
- (j) Financial reports, including collections received and deposited and sales of District property, shall be presented to the Board every month;
- (k) A record of all important correspondence;
- (l) A record of the Fire Chief's report to the Board;
- (m) Approval of all policies and Board-adopted regulations; and,
- (n) A record of all visitors and delegations appearing before the Board.

## Board of Directors Code of Conduct

### 302.1 PURPOSE AND SCOPE

The Board of Directors of Central Calaveras Fire District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents.

### 302.2 RULES

In order to assist in the government of the behavior between and among members of the Board of Directors, the following rules shall be observed.

- (a) The dignity, style, values and opinions of each Director shall be respected.
- (b) Responsiveness and attentive listening in communication is encouraged.
- (c) The needs of the District's constituents should be the priority of the Board of Directors.
- (d) The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
- (e) Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
- (f) Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.
- (g) Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.
- (h) Directors should practice the following procedures:
  1. In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
  2. In handling complaints from residents and property owners of the District, said complaints should be referred directly to the Fire Chief.
  3. In handling items related to safety, concerns for safety or hazards shall be reported to the Fire Chief or to the District office. Emergency situations shall be dealt with immediately by seeking appropriate assistance.
  4. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the Fire Chief.
  5. When approached by District personnel concerning specific District policy, Directors shall direct inquiries to the appropriate staff supervisor. The chain of command should be followed. The work of the District is a team effort. All

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individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

6. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.
7. Directors should develop a working relationship with the Fire Chief wherein current issues, concerns and District projects can be discussed comfortably and openly.
8. Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
9. Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

## Board Philosophy on Employee Compensation

### 303.1 SECTION TITLE

- (a) The Fire Board values its represented and unrepresented employees and seeks to provide equitable compensation for each group and classification.
- (b) In determining any compensation increases, decreases, or adjustments, the Fire Board of Directors should consider, weigh, and be guided by all the following criteria:
  - 1. State And Federal Laws Applicable To The Central Calaveras Fire and Rescue Protection District:
    - (a) The District must consider relevant laws.
  - 2. The Interests and Welfare Of The Public And The Financial Ability Of The District:
    - (a) The District must ensure that General Fund revenue can sustain both the compensation levels and core services to the public.
  - 3. Recruitment and Retention:
    - (a) The District must consider its ability to attract and retain highly qualified employees and volunteers.
  - 4. Internal Comparability/Alignment:
    - (a) The District must consider options for avoiding inappropriate compaction between or within classifications, consider appropriate internal comparability among classifications, and consider alignment between and within job classifications.
  - 5. Comparability:
    - (a) The District should compare the total or overall compensation it offers to its represented and unrepresented employees with that offered by comparable cities, counties, districts and other agencies providing fire services. Overall compensation includes direct wage compensation, vacations, holidays, paid leave time, insurance, pensions, medical benefits, continuity and stability of employment, uniform allowance, educational incentive pay, and all other benefits provided to represented and unrepresented employees.
  - 6. Consumer Price Index:
    - (a) The District should consider the cost of living as measured by the relevant U.S. Department of Labor Consumer Price Index.
  - 7. Labor and Employment Standards:
    - (a) The District should consider any other facts normally or traditionally taken into consideration in making compensation determinations.

## Budget Preparation

### 304.1 PROCEDURE

- (a) The Fire Chief shall prepare an annual preliminary budget proposal and present it to the Board's Finance Committee three weeks prior to the Board of Directors June meeting for review.
- (b) The Finance Committee shall then present the proposed preliminary budget during the June meeting of the Board of Directors.
- (c) The preliminary budget shall also include information pertaining to establishing the Gann Appropriations Limit for the fiscal year.
- (d) Prior to adoption of the final budget, the public shall be invited to make comments regarding any item in the budget and/or the proposed Gann Appropriations Limit.
- (e) The final budget and Gann Limitation shall be adopted by September of each fiscal year.



## Public Complaints

### 305.1 PURPOSE AND SCOPE

The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic. This policy outlines the method for accepting and resolving public complaints.

### 305.2 POLICY

It is the policy of the District to resolve public complaints in a fair and judicious manner.

### 305.3 PROCEDURE

A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute of which the individual has been adversely affected.

The method of resolving complaints shall be as follows:

- (a) The individual with a complaint shall first discuss the matter with the Fire Chief with the objective of resolving the matter informally. Within a reasonable time, the Fire Chief shall attempt to resolve the matter. At the option of the Fire Chief, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. A written decision from the Fire Chief may be requested by the individual filing the complaint.
- (b) If the individual filing the complaint is not satisfied with the disposition of the matter by the Fire Chief, a written complaint may be filed with the Board of Directors within ten (10) days of receiving the Fire Chief's decision. The Board may consider the matter at the next regular meeting or call a special meeting. The Board will expeditiously resolve the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. A written decision from the Board may be requested by the individual filing the complaint.
- (c) This policy is not intended to deter a member of the community or staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

## **Chapter 4 - General Operations**

## Emergency Response

### 401.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure a safe and appropriate response to emergencies while maintaining the safety of district members and the public by requiring operators of district vehicles to conform to applicable California laws and regulations during an emergency response (Vehicle Code § 21055).

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Emergency response** - Any call for service or assistance involving fire, explosion or violent rupture; human rescue; human entrapment; illness or injury; hazardous materials release or threat of contamination; flooding; threatened or actual acts of violence; any explosive, bomb or threatened bombing; any act of terrorism; any natural disaster; any release, spill or threat of release of radioactive materials; any spill, release or threat of release of any active biological agent; or any other circumstance that presents a threat to life-safety or to property.

### 401.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to appropriately respond to all emergency calls.

### 401.3 EMERGENCY CALLS

Fire personnel dispatched to an emergency shall proceed immediately, shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary (Vehicle Code § 21055).

Responding with emergency lights and siren does not relieve personnel of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Personnel should only respond with emergency lights and siren when so dispatched to an emergency or when circumstances reasonably indicate an emergency response is required.

Personnel not authorized to respond with emergency lights and siren shall observe all traffic laws and proceed without the use of emergency lights and siren.

### 401.4 MULTIPLE EMERGENCY VEHICLE RESPONSES

When more than one apparatus responds to an emergency, emergency vehicle operators should remain alert to the presence of other emergency vehicles and exercise due caution. Personnel must further exercise due caution in recognizing that traffic yielding to one emergency vehicle may not expect other emergency vehicles to follow.

## *Emergency Response*

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### **401.5 INITIATING AN EMERGENCY RESPONSE**

If a member believes an emergency response to any call is appropriate, the member shall ensure ECC is immediately notified.

### **401.6 RESPONSIBILITIES OF RESPONDING PERSONNEL**

Emergency vehicle operators shall exercise sound judgment and care, with due regard for life and property while operating a vehicle en route to an emergency response.

In addition, emergency vehicle operators should reduce speed at all intersections and should come to a complete stop at all blind street intersections or intersections where there is either a red light, a flashing red light or a stop sign. Emergency vehicle operators should also come to a complete stop at intersections whenever they reasonably believe they cannot account for traffic in approaching lanes or when vehicles have not yielded the right-of-way. After coming to a complete stop, emergency vehicle operators should only proceed when it is safe to do so.

The decision to continue an emergency response is at the discretion of the emergency vehicle operator or company officer. If, in the judgment of either individual, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the response may be continued without the use of red lights and siren at the legal speed limit. In such an event, the vehicle operator or the company officer should ensure ECC is promptly notified. Personnel shall also discontinue the emergency response when directed by any supervisor.

### **401.7 FAILURE OF EMERGENCY EQUIPMENT**

If the emergency equipment on the vehicle should fail to operate, the vehicle operator must terminate the emergency response and respond accordingly. In all cases, the vehicle operator or company officer shall notify ECC of the equipment failure so that another apparatus may be assigned to the emergency response.

### **401.8 DUTIES OF MEMBERS DURING AND AFTER RESPONSE**

All members placed in charge of an engine company shall return to their Station promptly upon completion of an assignment or release from an incident:

- (a) Members responding to alarms shall be under the direct command of their assigned company officer or in the case of the assigned officer being absent, the senior company Firefighter.
- (b) Members shall respond to alarms only when their assigned engine is dispatched or in the event of a dispatching error, should have been dispatched. Members shall work as companies while at the scene of an emergency.
- (c) Members shall respond only to stations and not directly to incidents unless specifically requested to do so.
- (d) Members shall respond to alarms dressed in the required safety equipment and shall wear protective equipment throughout the course of the incident.

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## *Emergency Response*

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- (e) Members responding as an engine company are responsible for the equipment and tools assigned to that apparatus. Members are expected to clean apparatus and equipment after use, insuring that apparatus is ready to respond.

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## Fire Ground Accountability

### 402.1 PURPOSE AND SCOPE

The purpose of this policy is to increase firefighter safety by establishing accountability systems for keeping track of all personnel operating at the scene of an emergency incident.

#### 402.1.1 DEFINITIONS

Definitions related to this policy include:

**Personnel Accountability Report (PAR)** - A roll call of all operations members assigned to an incident at specified times; a PAR is designed to account for each member's location and activity and to verify their safety.

### 402.2 POLICY

It is the policy of this district that supervisors periodically account for members working under their direction at emergency incidents and that all members participate in accountability systems.

### 402.3 RESPONSIBILITIES

A personnel accountability system should be used primarily to track personnel, not resources. However, on small incidents one individual may be responsible for tracking both personnel and resources.

A written personnel accountability system, such as the Incident Command System (ICS) Form I-201 for Incident Commanders, and a status board should be maintained. Individual crew names must be posted in a conspicuous location in the cab of district vehicles.

Supervisors are responsible for tracking all personnel on emergency incidents. Personnel should be accounted for from the time of dispatch to the time of demobilization.

Supervisors should implement sufficient tracking methods for personnel at the individual, company, division, group and unit levels to account for personnel during all phases and at all locations of an incident, including travel between locations and assignments.

The Incident Commander should designate an accountability officer to monitor who is in charge of each area; what crews are assigned to each area; where each area is located; and the area assignment.

Area supervisors should be assigned to keep track of all crews assigned to their area. Company officers should know the location and assignment of each firefighter in their crew.

All members are responsible for participating in the accountability system, including checking in at approved locations, including members who arrive on-scene individually or in privately-owned vehicles.

## *Fire Ground Accountability*

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### **402.4 REPORTING**

Ongoing, routine tactical accountability should be accomplished through periodic reporting or visual observation. This can be accomplished through concise reports that include conditions, actions and needs, also called a CAN report. Members should also make the following reports:

- Emergency situations
- Inability to meet objective with revised timeline and/or resource requests
- Notification of completed actions

#### **402.4.1 PERSONNEL ACCOUNTABILITY REPORTS (PAR)**

A PAR should be conducted within the first 10 minutes of an incident and every 20 minutes thereafter for personnel at the scene. In addition, PARs should be conducted after any change in conditions that may alter or affect firefighter safety, such as an increase in fire conditions or after ordering an emergency evacuation of an area.

A PAR should be conducted for each division, group and organizational element where operations personnel are working. If any person involved in the operation is unaccounted for, emergency procedures should be initiated.

The Incident Commander may discontinue regular PARs when incident stabilization is achieved and hazards are sufficiently reduced.

## Rapid Intervention/Two-In Two-Out

### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to increase firefighter safety by implementing procedures for safeguarding and rescuing firefighters while operating in environments that are immediately dangerous to life and health (IDLH).

This policy applies to all members assigned to an incident and is designed to ensure immediate assistance for members who become lost, trapped or injured by adhering to the two-in/two-out standard and designating rapid intervention groups (RIG) (29 CFR 1910.134(g)(4)).

#### 403.1.1 DEFINITIONS

Definitions related to this policy include:

**Immediately dangerous to life and health (IDLH)** - An atmospheric concentration of any toxic, corrosive or asphyxiant substance that to an unprotected person poses an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a hazardous area. Interior atmospheric conditions at structure fires beyond the incipient stage are considered IDLH, as are a variety of rescue types.

**Initial rapid intervention crew (IRIC)** - A group of at least two members located outside the IDLH atmosphere to initially monitor and provide emergency rescue for responders until a larger, more formalized rapid intervention group (RIG) is created. One of the two members may be assigned to an additional role, as long as the individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any firefighter at the incident. An IRIG is also known as two-in/two-out.

**Rapid intervention crew (RIC)** - A formalized designated group of individuals or companies whose sole function is to prepare, monitor and provide for effective emergency rescue of responders in IDLH atmospheres.

### 403.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to ensure that adequate personnel are on scene before interior operations begin in any IDLH environment. However, nothing in this policy is meant to preclude firefighters from performing emergency rescue activities before an entire team has assembled.

### 403.3 PRE-DEPLOYMENT

Prior to initiating any fire attack in any IDLH environment with no confirmed rescue in progress, members should ensure that there are sufficient resources on-scene to establish two-in/two-out procedures (29 CFR 1910.134(g)(4)).

- (a) Members should ensure that at least two firefighters using self-contained breathing apparatus (SCBA) enter the IDLH environment and remain in voice or visual contact with one another at all times.



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### *Rapid Intervention/Two-In Two-Out*

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- (b) At least two additional firefighters should be located outside the IDLH environment.
  - 1. One of the two outside firefighters may be assigned to an additional role so long as the individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any firefighter working at the incident.

#### **403.4 INITIAL DEPLOYMENT**

A written personnel accountability system will be maintained whenever companies are operating at IDLH incidents. Individual crew names will be posted in a conspicuous location in the cab of district vehicles.

During the initial phase of an incident, confirmed rescues should take priority. When a confirmed rescue is in progress during the initial phase of an incident, emergency rescue activities may be performed before a designated IRIC has assembled.

All members operating in IDLH environments should be tracked and accounted for at all times, except when it would preclude firefighters from performing emergency rescue activities during the initial phase of the incident.

#### **403.5 RIC DUTIES**

The RIC should be assembled from resources at the scene, whose sole function is to prepare for, monitor and provide effective emergency rescue for responders.

- (a) To the extent possible, visual, voice and signal line communication should be maintained between those working in the IDLH environment and the RIC outside the IDLH environment.
- (b) RIC members should not be involved in any other duties that divert attention or resources away from their primary mission of responder rescue.
  - 1. Acceptable duties may include identifying and preparing access and emergency rescue egress points from affected areas, the pre-positioning of exterior ladders, forcible entry and other rescue equipment as needed at strategic locations.
- (c) Additional companies may be assigned to the RIC as conditions warrant. For large incidents with multiple points of entry, multiple RICs should be considered.

#### **403.6 EMERGENCY DEPLOYMENT OF A RIC**

When a firefighter-down or firefighter-missing broadcast is transmitted, all non-emergency radio traffic should be cleared from the radio channels that the missing or trapped firefighter is using. Non-affected personnel should switch to other tactical frequencies. At least two individuals should be dedicated solely to monitoring the tactical channel. One person should be responsible for gathering information on the identity, location and condition of trapped or missing firefighter, while the second person should communicate and offer support on the tactical channel.

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### *Rapid Intervention/Two-In Two-Out*

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For an emergency deployment of a RIC, a Rescue Branch Director position should be activated to coordinate the rescue as well as any fire activities in support of the rescue effort. Other divisions and groups may support the Rescue Branch Director's efforts by diverting fire spread through horizontal or vertical ventilation to draw fire away from the affected rescue areas and by placing hose streams to check fire spread and protect rescue efforts.

The RIC supervisor should notify the Rescue Branch Director before making entry for emergency rescue. The Rescue Branch Director should provide any assistance that is appropriate to the situation. Additional resources should be ordered as needed, including additional RICs, medical treatment and transportation groups or other organizational elements.

## Safely Surrendered Baby Law

### 412.1 PURPOSE AND SCOPE

This policy establishes the guidelines to comply with the Safely Surrendered Baby (SSB) Law (Health and Safety Code § 1255.7).

This policy addresses infants who are less than 72 hours old and are surrendered under the terms of the SSB Law pursuant to Penal Code § 271.5 and Health and Safety Code § 1255.7. This policy does not address illegal desertion or abandonment of an infant as defined in Penal Code § 271. For an abandoned infant, see the Abandoned Infants Policy.

#### 412.1.1 DEFINITIONS

Definitions related to this policy include:

**Coded identification bracelets** - Two small coded bracelets to be placed on the ankles of the surrendered infant and one large coded bracelet provided to the person surrendering the infant.

**Medical questionnaire** - The SSB Law requires that a medical questionnaire be offered to the person surrendering the infant for the purpose of collecting medical information critical to the health and survival of the infant.

**Safe-surrender site** - Any district facility designated by the local governing body (Health and Safety Code § 1255.7).

### 412.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to provide an option to protect infants by allowing parents or persons with lawful custody to safely and confidentially surrender infants at any fire station that has been designated as a safe-surrender site (Health and Safety Code § 1255.7).

### 412.3 PROCEDURE

The Fire Chief shall identify personnel qualified to take custody of surrendered infants and ensure that such qualified personnel are available to receive any surrendered infants (Health and Safety Code § 1255.7).

The Administration Fire Chief shall ensure that district facilities designated as safe-surrender sites display the California state-approved Infant Safe logo.

The following procedures will be used by personnel at all district facilities that have been designated as safe-surrender sites (Health and Safety Code § 1255.7).

(a) Site preparation:

1. All district facilities designated as safe-surrender sites will display the California state-approved Infant Safe logo near the front door, adjacent to a 9-1-1 call box if possible. In addition, fire station lobbies should display public outreach brochures obtained from the state or the local child welfare agency.

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### *Safely Surrendered Baby Law*

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2. Each safe-surrender site shall have a person designated as responsible to order, maintain and inventory, on a monthly basis, Safe Surrender Kits that contain coded identification bracelets, the medical information questionnaire and a fact sheet regarding the SSB Law.
  3. Each designated safe-surrender site shall have a person responsible for maintaining any donated blankets and maintaining current contact information for the local child welfare agency.
- (b) Accepting a surrendered infant:
1. Qualified personnel shall accept a surrendered infant, even if the infant appears older than 72 hours. If the infant appears to be older than 72 hours, the receiving personnel should immediately notify law enforcement and the appropriate child welfare agency, as provided in the Abandoned Infants Policy.
  2. The receiving personnel shall notify the ECC of a "medical aid" at the station and request an ambulance and a paramedic unit, if one is not available in quarters. Avoid radio traffic declaring an "infant safe surrender," to maintain confidentiality.
  3. If it appears that the infant has been the victim of child abuse or neglect, law enforcement personnel should be requested.
- (c) Following acceptance of an infant:
1. Receiving personnel shall open a Safe Surrender Kit and place the small coded bracelets on the infant's ankles and make a good faith effort to give the large coded bracelet to the person surrendering the infant to facilitate reclaiming the infant.
  2. Receiving personnel shall make a good faith effort to provide the fact sheet from the kit to the surrendering person. The law requires that the medical questionnaire also be offered to the surrendering person. This is a voluntary document, however, and can be declined by the surrendering person.
  3. The surrendering person should be encouraged to accompany the infant to the hospital to give the medical history directly to the hospital staff and should be reassured that the same protection from prosecution and the ability to surrender the child is available at the hospital.
  4. If the surrendering person does not wish to accompany the infant to the hospital, the surrendering person should be encouraged to complete the medical questionnaire and should be given assistance, if needed.
  5. If the surrendering person is unwilling to complete the questionnaire and unwilling to accompany the infant to the hospital, personnel should make a good faith effort to provide the surrendering person the following items from the kit:

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- (a) The business reply envelope containing the medical questionnaire, which can be filled out later and returned by mail.
- (b) The fact sheet
- (c) The surrendering person's copy of the coded bracelet
- (d) Medical assessment and documentation:
  - 1. A qualified health care professional shall assess the infant to identify any immediate treatment needs and complete a Pre-Hospital Care Report (PCR) for the infant. The bracelet code number shall be included on the infant's PCR in the patient name field.
  - 2. If the surrendering person is the birth mother, a qualified health care professional should attempt to assess and treat her as necessary and pursuant to established Emergency Medical Services (EMS) protocols. If treated, the mother should be listed as "Jane Doe" to protect her anonymity.
  - 3. **DO NOT** use the parent's name on the PCR (Health and Safety Code § 1255.7(d)(2)).
- (e) Transportation to the hospital:
  - 1. Paramedics shall accompany the infant and surrendering person (if the person is willing to accompany the infant) to the nearest emergency room with labor and delivery capabilities.
  - 2. The receiving hospital will take custody of the infant and make immediate notification to the local child welfare agency.
  - 3. District personnel will coordinate with the hospital to confirm that the above required notification has been made as soon as possible but in no event later than 48 hours after the District has taken custody of the infant.
- (f) Additional notifications and media concerns:
  - 1. The receiving personnel shall notify their appropriate supervisor as soon as practicable.
  - 2. The supervisor will notify the Captain, duty officer and the district Public Information Officer.
  - 3. The Public Information Officer may, as circumstances dictate, provide the following limited facts to the media:
    - (a) Date, time and fire station where the infant was surrendered
    - (b) Local child welfare agency representative's name and telephone number

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### *Safely Surrendered Baby Law*

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- (c) Under no circumstances shall the surrendering person's name be released to the public or media (Health and Safety Code § 1255.7(k))
- (g) Individuals who return to claim an infant:
  - 1. If a parent or individual who voluntarily surrendered an infant requests return of the infant while the District still has physical custody, the infant shall either be returned to the parent or individual or the receiving personnel should contact the local child welfare agency if any personnel at the safe-surrender site know or reasonably suspect that the child has been the victim of child abuse or neglect. The voluntary surrender of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect. Possession of the ankle bracelet identification, in and of itself, does not establish a right to custody of the child and members may seek assistance from the child welfare agency.
  - 2. If a parent or individual who voluntarily surrendered an infant requests return of the infant after the District has given up physical custody, the person should be directed to call the child welfare agency that has custody of the infant. District personnel should assist the person with the telephone call, as needed.
  - 3. Notify ECC that the company is engaged in a "public assist" at the fire station.
  - 4. The identity of the surrendering individual must still be kept anonymous and confidential.
  - 5. Do not make any judgments about time frames or the individual's ability to care for the infant. The local child welfare agency will determine whether the infant is released to the individual.
- (h) Community donations:
  - 1. Community groups, volunteers, foundations and individuals may express interest in helping with this program. Some may want to donate baby supplies, such as baby food, diapers or blankets, directly to the fire station. The following guidelines are established:
    - (a) The only item a fire station may accept is a small, new baby blanket in the original wrapper. Donated blankets may be stored with the Safe Surrender Kits.
    - (b) Donors who wish to donate any other baby-related items, such as clothes, baby food or diapers, should be directed to a local social service agency and/or reputable charities.

## Abandoned Infants

### 413.1 PURPOSE AND SCOPE

This policy provides guidance to Central Calaveras Fire Protection District personnel who encounter abandoned infants or children. This policy does not apply to infants who are surrendered within 72 hours of birth under the Safely Surrendered Baby Law (Health and Safety Code § 1255.7), as provided in the Safely Surrendered Baby Policy.

#### 413.1.1 DEFINITIONS

Definitions related to this policy include:

**Abandoned child** - Any child, who is not in the care of a parent or guardian, an adult family member, a responsible sibling, a responsible caregiver, a law enforcement officer, a social services representative or another person who is providing a safe environment for the child, except those surrendered within the guidelines of the Safely Surrendered Baby Policy (Health and Safety Code § 1255.7).

### 413.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to make the safety, health and well-being of an abandoned child a primary consideration. Notification to the appropriate law enforcement agency regarding the child should be the secondary consideration.

### 413.3 MEDICAL PROCEDURE

Abandoned children who have apparent medical needs or are unable to provide information regarding their health history or acute medical conditions, nutrition and allergy history or other significant health information should be treated as medical patients, receive the appropriate pre-hospital medical evaluation and be delivered to an appropriate medical facility for further evaluation.

### 413.4 MANDATED REPORTER REQUIREMENTS

Non-volunteer firefighters, paramedics, EMT 1 and II and other district members certified under Health and Safety Code Division 2.5 § 1797 et seq. are designated as mandated reporters (Penal Code § 11165.7). Mandated reporters shall notify a police or sheriff's department or a child welfare agency as soon as practicable and shall send a written report concerning the abandoned child to that same agency within 36 hours (Penal Code § 11166(a)).

If a mandated reporter of this district relinquishes control of an abandoned child to a law enforcement officer and, by mutual agreement, the officer assumes responsibility for complying with the mandated reporter requirements, the district mandated reporter may forego submitting a written report (Penal Code § 11166(h)).

### *Abandoned Infants*

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#### **413.5 RELINQUISHING CONTROL**

District members may relinquish control of an abandoned child at any time to a law enforcement officer or to a representative of a child welfare agency having jurisdiction over abandoned children. Members may also relinquish control of an abandoned child to a physician, nurse or social services representative at a receiving medical facility or to a representative from a licensed children's shelter or other facility approved by the child welfare agency having jurisdiction over abandoned children.

Members should not release an abandoned child to a parent, family member, guardian or other person without first notifying a law enforcement officer and a representative of a child welfare agency having jurisdiction over abandoned, abused or neglected children.



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## Hazardous Materials Response

### 414.1 PURPOSE AND SCOPE

Hazardous materials HAZMAT may include toxic, flammable, corrosive, explosive, radioactive or reactive materials; materials that can cause health hazards; or a combination of these materials. The purpose of this policy is to provide a general framework for handling a HAZMAT incident.

### 414.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to protect the safety of the public and responders to HAZMAT incidents and to comply with the Hazardous Waste Operations Emergency Response (HAZWOPER) standard during all HAZMAT incidents (29 CFR 1910.120).

### 414.3 PROCEDURE

Information should be provided by ECC to the units responding to a HAZMAT incident including the name and type of the material involved (e.g., hydrochloric acid and corrosive), the size and quantity of the containers involved, the nature of the problem (e.g., spill, leak) and any known dangerous properties of the materials.

The first-in company approaching the incident should use caution, approach from upwind and upgrade of the incident, establish the Incident Command System (ICS) and begin a size-up of the situation. The purpose of the size-up by the first-in company is to determine the nature and severity of the HAZMAT incident and formulate an initial Incident Action Plan (IAP). While it may be necessary to take immediate action to make a rescue or evacuate an area, any action should be taken with an awareness of the risk to district personnel and making appropriate use of available protective equipment. It is important to avoid the premature commitment of personnel to potentially hazardous locations. In some cases, isolating the incident and denying entry until more resources arrive may be the safest approach.

In assessing the incident, all available references should be used to determine the hazards that are or potentially could be present. These references may include, but are not limited to, the U.S. Department of Transportation (DOT) Emergency Response Guidebook, the National Institute for Occupational Safety and Health Pocket Guide to Chemical Hazards, Safety Data Sheets (SDS), HAZMAT business plans, manifests or bills of lading, National Fire Protection Association placards, U.S. DOT placards and United Nations Substance Identification Numbers. Other sources of information may be available, such as the Chemical Transportation Emergency Center (CHEMTREC®), facility personnel, district specialists or manufacturers of the materials involved.

The hazards presented by a HAZMAT incident may change significantly as the materials interact with other materials, the surrounding environment and the actions taken by responders. Responders should consider site topography, surroundings, other potential hazards and prevailing weather conditions. The initial perimeter established for the incident may need to be expanded

# Central Calaveras Fire Protection District

## CCFRPD Policy Manual

### *Hazardous Materials Response*

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to establish the appropriate control zones for the response (e.g., exclusion zone, contamination reduction zone, support zone).

Members will comply with the HAZWOPER standards during all HAZMAT incidents (29 CFR 1910.120).

#### **414.4 INCIDENT ACTION PLAN**

Most HAZMAT incidents will require the Incident Commander to request additional resources in order to implement the IAP and safely mitigate the hazard. The primary goal of the IAP will be to protect the safety of the public and responders.

The ICS will be used to coordinate resources as the response is reinforced. It is important that duties assigned to personnel are suitable for their level of training under this standard. It is also important to consider the limitations of available personal protective equipment (PPE) and the limitations of chemical detection or monitoring equipment on hand when preparing to commit personnel to a potentially hazardous area.

## Scene Preservation

### 416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide district members with guidance on performing emergency mitigation tasks when working in and around scenes where evidence may be present. Members of the District are often confronted with opposing priorities when performing duties at scenes containing potential evidence. They must balance the need to provide timely and effective life-saving and property-preserving services while minimizing the disturbance of any items of evidentiary value. In some instances district members must evaluate whether to enter a scene or to initiate mitigation activities.

#### 416.1.1 DEFINITIONS

Definitions related to this policy include:

**Evidence** - Any item or arrangement of items that may provide relevant information to an investigation.

**Scene** - Any location where items of evidentiary value may be found. A scene need not be the location where a criminal act occurred, it need only be a location where items of evidentiary value are available for collection or documentation.

### 416.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to minimize the disturbance of conditions and evidentiary items when providing emergency mitigation services in and around scenes.

### 416.3 SCENE IDENTIFICATION

District members must be mindful of encountering potential evidence at a scene whenever they respond to calls for service. The potential for evidence at a scene may be identified in a number of ways, including but not limited to:

- (a) The location of any incident that involves a physical assault or results from an act of violence. Such a location should be assumed to be a crime scene. Examples include shooting incidents, stabbing incidents, any incident involving a medical patient injured by the act of another person, suicides, bomb incidents or any act of terrorism.
- (b) Any incident that law enforcement personnel have identified as a crime scene and have notified district members of that determination.
- (c) Any unattended death scene.
- (d) All fire incidents.
- (e) Any incident where district members believe or have a reasonable suspicion that a crime has taken place. The type of suspected criminal activity may be severe, as in the case of a robbery or burglary, or less severe, as in the case of vandalism.

## *Scene Preservation*

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- (f) Transportation incidents, including traffic collisions and rail, aircraft, shipping and boating incidents.
- (g) Industrial accidents.

### **416.4 ENTERING SCENES**

When district members determine that a scene containing potential evidence is involved, they should promptly evaluate the need to enter the scene prior to approval of investigators. For the purposes of district members, scenes may be categorized into two distinct types: stable or unstable.

#### **416.4.1 STABLE SCENE**

A stable scene exists when there is no apparent immediate or ongoing threat to the safety, health or well-being of district members, the public or property. Examples of stable scenes include incidents where the victim or victims are obviously deceased, incidents involving obviously failed incendiary devices and fire incidents where the fire is clearly extinguished prior to the arrival of district members.

When district members encounter a stable scene and it is apparent that no threat to safety or property exists, they should remain outside the scene until cleared to enter by the appropriate investigator or law enforcement personnel. If there is a confirmed or suspected threat to life or public safety, district members should take whatever actions reasonably appear necessary to stabilize the scene and then withdraw pending approval from investigators or law enforcement personnel to re-enter.

#### **416.4.2 UNSTABLE SCENE**

An unstable scene exists whenever there appears to be an ongoing or imminent threat to the health, safety or well-being of district members, the public or property that necessitates immediate mitigation. Examples of unstable scenes include incidents involving injured or entrapped persons, active fire or threat of imminent fire, imminent structural collapse endangering lives, the release or imminent threat of the release of hazardous materials or any incident where immediate mitigation is required to preserve life.

When district members encounter an unstable scene they are authorized to take appropriate corrective action to mitigate the threat.

### **416.5 PRESERVATION OF EVIDENCE AT CRIME SCENES**

Whenever practicable, district members should avoid touching, moving, manipulating or otherwise altering anything located at a scene where the potential for evidence exists. In some circumstances, the need to move items may be unavoidable. In those instances, district members should note what items were moved, who moved them and the location from which they were moved. Members should not attempt to move displaced items back to their original location; rather the items should be left in the place to which they were moved. The appropriate investigator or

### *Scene Preservation*

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law enforcement personnel should be informed of any items that were moved and the location where the items originally were found.

In instances where an obvious item of evidence must be moved, an investigator or law enforcement representative should be consulted prior to moving the item, if practicable. For example, if a weapon is located beside or underneath a victim and an investigator is available, the investigator should be called to relocate the weapon. Life-preserving care should not be unreasonably delayed awaiting the arrival of an investigator or law enforcement personnel to move items of evidence.

#### **416.6 MEDICAL SUPPLIES AND DEBRIS**

When district members provide medical care in or around a scene where evidence may be located, any discarded medical material, wrapping material, used bandaging, containers or other debris should be left at the scene when the crews depart. Reusable tools, medical equipment and other durable supplies may be collected but care should be taken by district members to minimize any disturbance to other items or material at the scene. Hazardous items and other material, such as medical sharps, controlled substances or surplus medications, should be collected and handled appropriately. If investigators or law enforcement personnel direct that any hazardous materials be left in place, district members should clearly identify all such materials to the controlling authority at the scene.

## Adult Abuse

### 420.1 PURPOSE AND SCOPE

This policy provides members of the Central Calaveras Fire Protection District with guidance regarding when notification is to be made to law enforcement and/or the local ombudsman and licensing agencies of suspected abuse of certain adults.

### 420.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to assist victims of adult abuse by making the proper notifications to those responsible for investigating these matters.

### 420.3 MANDATORY NOTIFICATION

Firefighters, paramedics, Emergency Medical Technicians, and other district members certified under Division 2.5 of the Health and Safety Code are designated as mandated reporters (Welfare and Institutions Code § 15630(a)).

Members of the Central Calaveras Fire Protection District shall notify law enforcement or Adult Protective Services (APS) when the member (Welfare and Institutions Code § 15630):

- (a) Has observed or has knowledge of an incident that reasonably appears to be adult abuse.
- (b) Is told by an elder or dependent adult of abuse.
- (c) Reasonably suspects abuse.

For purposes of defining adult abuse, a dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age, who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.07; Welfare and Institutions Code § 15610.23).

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse, or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30).

#### 420.3.1 NOTIFICATION PROCEDURE

Notification should occur by telephone or through a confidential internet reporting tool as soon as practicable. If notification is by telephone, a written report or internet report shall be sent within two working days as provided in Welfare and Institutions Code § 15630(b).

Notification should include (Welfare and Institutions Code § 15630(e)):

- Name of the person making the report.

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### *Adult Abuse*

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- Victim's name and age.
- Current location of the victim.
- Names and addresses of family members or any other adult responsible for the elder's or vulnerable adult's care.
- Nature and extent of the condition of the elder or dependent adult.
- Date of the incident.
- Any other information requested, including information that led to the suspicion of elder or dependent adult abuse.

Failure to report an incident of known or reasonably suspected adult abuse by a mandated reporter is a misdemeanor and may also result in discipline (Welfare and Institutions Code § 15630(h)).

#### **420.3.2 LONG-TERM CARE FACILITY NOTIFICATION**

If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center), notification shall be made to law enforcement immediately and written reports shall be made to the local ombudsman, the corresponding licensing agency, and law enforcement as required (Welfare and Institutions Code § 15630(b)(1)).

#### **420.3.3 STATE MENTAL HOSPITAL OR DEVELOPMENTAL CENTER NOTIFICATION**

If the abuse occurred in a state mental hospital or a state developmental center, notification shall be made immediately to law enforcement.

If the abuse occurred in a state mental hospital or a state developmental center and resulted in any of the following incidents, notification shall also be made to the designated investigators of the Department of State Hospitals or the Department of Developmental Services (Welfare and Institutions Code § 15630(b)(1)(E)):

- (a) Death
- (b) Sexual assault as defined by Welfare and Institutions Code § 15610.63
- (c) An assault with a deadly weapon by a nonresident
- (d) An assault with force likely to produce great bodily injury (as described by Penal Code § 245)
- (e) An injury to the genitals when the cause of the injury is undetermined
- (f) A broken bone when the cause of the break is undetermined

#### **420.4 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected abuse shall be confidential and may only be disclosed pursuant to state law and the Release of Records Policy (Welfare and Institutions Code § 15633).

Requests for information about an incident referred to law enforcement should be referred to the law enforcement agency.

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## National Fire Incident Reporting System (NFIRS)

### 423.1 PURPOSE AND SCOPE

The Federal Fire Prevention and Control Act of 1974 (P.L. 93-498) authorizes the National Fire Data Center in the U.S. Fire Administration (USFA) to gather and analyze information on the magnitude of the nation's fire problem, as well as its detailed characteristics and trends. To do so, the National Fire Data Center has established the National Fire Incident Reporting System (NFIRS). The purpose of this policy is to provide guidance regarding NFIRS reporting to ensure district response information is properly reported to (NFIRS).

### 423.2 POLICY

The Central Calaveras Fire Protection District is committed to improving fire reporting and analysis capability both locally and on the national level. Therefore, it is the policy of the Central Calaveras Fire Protection District to participate in the NFIRS.

### 423.3 RESPONSIBILITIES

The USFA has developed a standard NFIRS package that includes incident and casualty forms, a coding structure for data processing, manuals, computer software and procedures, documentation and a National Fire Academy training course for utilizing the system.

The Fire Chief should designate a NFIRS coordinator, who should develop and maintain familiarity with NFIRS resources and reporting requirements and ensure district information is compliant with the NFIRS reporting format and is forwarded to the state Fire Marshal.

### 423.4 EMERGENCY REPORTING

Central Calaveras Fire Protection District will use Emergency Reporting® as the designated reporting system for NFIRS compliance. Duty Officers will be responsible for completing incident reports for each emergency incident. The Fire Chief shall be designated the NFIRS coordinator.



## **Chapter 8 - Equipment and Technology**

## Use of District-Owned and Personal Property

### 800.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the care and maintenance of district property entrusted to district members and the return of district property at the end of employment or affiliation with the District. This policy also provides guidelines for members to claim damage to or loss of personal property used in an occupational capacity.

### 800.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to issue equipment to members for the purpose of performing their assigned duties. Members shall be responsible for the safekeeping, serviceable condition, proper care, use and request for replacement of all district property issued or entrusted to their care. A member's intentional or negligent abuse or misuse of district property may lead to discipline, including, but not limited to, the cost of repair or replacement of the property, and up to and including termination.

### 800.3 PROCEDURE

The following procedures shall be in effect regarding district property issued to members:

- (a) Members shall promptly report via the chain of command any loss, damage or unserviceable condition of district-issued property or equipment assigned for member use.
- (b) The use of damaged or unserviceable district property should be discontinued as soon as practicable and a supervisor notified so that the item may be replaced.
- (c) No member should attempt to repair damaged or unserviceable district property without supervisory approval.
- (d) Use of district property should be limited to official purposes in the capacity for which it was designed. Except when otherwise directed and/or required by circumstances, district property shall only be used by the member to whom it was assigned.
- (e) District property shall not be discarded, sold, traded, donated, destroyed or otherwise disposed of without supervisory approval.

#### 800.3.1 SURRENDERING DISTRICT PROPERTY UPON SEPARATION

Members who separate from the District shall return all district property, regardless of its condition. The following guidelines shall apply:

- (a) All district property, including keys, identification cards, electronic devices and system access cards, shall be returned to the District no later than the member's departure date or as directed by the Fire Chief or the authorized designee.
- (b) Badge surrender shall be consistent with the Badges Policy.

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### *Use of District-Owned and Personal Property*

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- (c) A member who fails to return all district property in his/her possession may be required to reimburse the District for the value of the property or may be subject to legal action brought by the District.

#### **800.4 FILING CLAIMS FOR PERSONAL PROPERTY**

Members are responsible for exercising reasonable care and caution to avoid damage to or loss of personal property while on-duty. However, consistent with collective bargaining agreements and District and district rules, personal property that is lost or damaged during the proper performance of a member's job duties may be replaced or the cost reimbursed by the District when such loss or damage is not the result of intentional or negligent abuse or misuse by the member.

Any claim for the replacement or cost reimbursement for damage to or loss of a member's personal property must be submitted on the proper claim form to the member's immediate supervisor.

The supervisor is responsible for reviewing the claim to assess whether the lost or damaged property was reasonably required for the proper performance of the member's job duties. The supervisor will make a determination as to whether reasonable care was taken to prevent loss or damage and whether proper procedures were followed just prior to the occurrence of the loss or damage. A supervisor may direct a member to submit additional details in a separate written report, if needed.

If approved, the supervisor will forward the claim and related reports to the Fire Chief, who will determine the appropriate reimbursement value of the property and will forward the claim for payment to the proper entity.

##### **800.4.1 COVERED PERSONAL PROPERTY**

Property that is necessary in the performance of the member's job duties or has been specifically stipulated by a collective bargaining agreement shall be considered a covered item. The age and condition of the damaged or lost property shall be considered when determining replacement or reimbursement value.

##### **800.4.2 EXCLUDED PERSONAL PROPERTY ITEMS**

Members are discouraged from wearing expensive jewelry or watches or bringing personal property items to the workplace that may be damaged, lost or stolen. Personal property that is not eligible for replacement or reimbursement includes:

- (a) Any personal property that is lost or damaged directly or indirectly due to negligence of the member.
- (b) Personal computers, communication devices, cell phones, MP3 players, GPS devices or any other electronic devices that the member voluntarily brings to the workplace and that are not required by the District for the performance of the member's duties.
- (c) Any personal property used in place of district-issued property, unless required by the District.

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### *Use of District-Owned and Personal Property*

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- (d) Any jewelry, with the exception of watches, which shall not exceed a \$100 reimbursement.

#### 800.4.3 PERSONAL VEHICLES

The District will not provide vehicle insurance coverage for members who use their personal vehicles for district business. All members must rely on their personal vehicle insurance carrier for replacement or cost reimbursement of damage to or loss of a personal vehicle. Members using a personal vehicle for district business shall have the minimum evidence of financial responsibility required for that vehicle (Vehicle Code § 16056).

Members shall maintain insurance on private vehicles used to respond to stations or incidents.

#### 800.4.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Members intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any member who damages or causes to be damaged any real or personal property of another while performing any district function, regardless of jurisdiction, shall report it as provided below:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as practicable.
- (b) A written report shall be submitted before the member goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

#### 800.4.5 DAMAGE BY PERSON OF ANOTHER AGENCY

If members of another jurisdiction cause damage to real or personal property belonging to the District, it shall be the responsibility of the member present or the member responsible for the property to make a verbal report to his/her immediate supervisor as soon as practicable. The member shall submit a written report before going off-duty or as otherwise directed by the supervisor.

All reports should be completed immediately after the incident or as soon as practicable if extenuating circumstances delay the member's ability to complete the report.

All reports, including the supervisor's written report, shall promptly be forwarded to the appropriate Fire Chief.

## Chapter 9 - Records Management

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## Records Management

### 900.1 PURPOSE AND SCOPE

This policy provides guidelines for the management of all district documents, including those in fire stations, to ensure that district records are maintained and available as needed. This policy also provides guidance on the retention, disposition and security of records.

### 900.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to promote the efficient and cost-effective conduct of district business by reducing the number of records in active file areas, eliminating unnecessary retention of duplicate or obsolete documents and providing for timely transfer of inactive files in compliance with legal requirements.

### 900.3 CUSTODIAN OF RECORDS

The Fire Chief shall appoint a Custodian of Records, who will oversee the records management program, including the records retention schedule. The Custodian of Records or the authorized designee should:

- (a) Remain familiar with the California Secretary of State Local Government Records Management Guidelines. [Central Calaveras Fire & Rescue Protection District Personnel Supplemental Materials: 400.1 Local Government Records Management](#)
- (b) Identify what records the District has, where the records are kept, the volume and how the records are used.
- (c) Maintain and update the district's records retention schedule, including:
  1. Preparing any amendments to the schedule and obtaining the necessary approvals for the amendments.
  2. Coordinating with the District district clerk to ensure all district records are properly classified and that the retention periods are appropriate for each document.
  3. Maintaining a current version of the district's records retention schedule and making it available to members for reference.
- (d) Coordinate the placement of inactive records in storage, including:
  1. Maintaining a storage inventory.
  2. Providing an annual reminder to Fire Chiefs and section managers to review files to determine if any records should be transferred to storage.
- (e) Manage the destruction of district records, including:
  1. Annually reviewing the records retention schedule and storage inventory list to determine which records are eligible for destruction.
  2. Providing a list to Fire Chiefs and section managers of records eligible to be destroyed.

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### *Records Management*

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3. Obtaining any required approvals for the destruction of eligible records.
  4. Maintaining a list of records that have been destroyed.
- (f) Ensure confidential and other sensitive records are stored or maintained to protect the sensitive nature of the records.
  - (g) Process subpoenas and requests for records as provided in the Subpoenas, the Release of Records and Public Records Act and the Patient Medical Record Security and Privacy policies.
  - (h) Manage a document imaging or other process for bulky or rarely accessed records with long retention periods.
  - (i) Establish rules regarding the inspection and copying of district records as reasonably necessary for the protection of such records, including:
    1. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
    2. Maintaining a schedule of fees for public records as allowed by law.
  - (j) Determine how the district website may be used to post public records in accordance with Government Code § 6253.
  - (k) Ensure that public records posted on the district website meet the requirements of Government Code § 6253.10 including, but not limited to, posting in an open format where a record may be retrieved, downloaded, indexed and searched by a commonly used internet search application.
  - (l) Ensure that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the district website.

#### **900.4 MEMBERS' RESPONSIBILITY**

All members are expected to handle district records in a responsible manner and as provided in this policy.

Members are responsible to ensure that records in their control are maintained as provided in the records retention schedule.

Members shall not access, misuse, falsify, or remove any employee records, District records, or confidential information of any kind without authorization of the Fire Chief.

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## Release of Records

### 901.1 PURPOSE AND SCOPE

This policy establishes guidelines for the public to inspect and obtain copies of public records.

Inspection and release of records with protected health information is covered in the Patient Medical Record Security and Privacy Policy.

### 901.2 POLICY

It is the policy of Central Calaveras Fire Protection District that records not exempt from disclosure by state or federal law will be open for public inspection with the least possible delay and expense to the requesting party (Government Code § 6253).

### 901.3 INSPECTING PUBLIC RECORDS

Public records are generally open to inspection during regular business hours.

For the most efficient service, any person who wishes to inspect public records should telephone the Central Calaveras Fire Protection District to schedule an appointment.

Records that in part or whole are exempt from disclosure or require redaction will not be provided for inspection. Upon written request, a redacted copy of the record may be produced as provided in this policy.

### 901.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any member of the public, including the media and elected officials, may obtain copies of unrestricted records of this district by submitting a written and signed request for each record sought and paying any associated fees (Government Code § 6253).

- (a) All requests for records shall be forwarded to the Central Calaveras Fire Protection District Custodian of Records for review and disposition. Information in the request should include:
  1. A statement that information is being requested under the California Public Records Act.
  2. A clear and specific description of the record being requested, including, if possible, dates, subjects, titles, or authors of the documents requested.
  3. If requesting a waiver of fees, a description of why the requestor believes a waiver is in the public interest.
  4. Requestor contact information, including name, address, phone, fax, and e-mail.
  5. Any accommodation needed under the Americans with Disabilities Act.
- (b) The processing of requests is subject to the following limitations:
  1. All requests should be date stamped upon receipt and logged on the Public Records Act request log.



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### *Release of Records*

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2. The Custodian of Records or the authorized designee shall determine if the requested record is available and, if so, whether the record is exempt from disclosure.
  - (a) Either the requested record or the reason for nondisclosure will be provided promptly but no later than 10 days from the date of request, unless unusual circumstances preclude doing so.
  - (b) If more time is needed, an extension of up to 14 additional days may be authorized by the Fire Chief or the authorized designee.
  - (c) If an extension is authorized, the Custodian of Records shall provide written notice of the extension to the requesting party (Government Code § 6253(c)).
3. The District is not required to create records that do not otherwise exist in order to accommodate a request for information or records.
4. If the Custodian of Records or the authorized designee determines the requested records should be disclosed, the records will be made available as soon as reasonably practicable.
5. If the record requested is available on the district website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be provided promptly (Government Code § 6253).
6. Each page of any record released should be stamped in colored ink with the official district stamp and should identify the individual to whom the record was released.
7. Released records shall be logged on the Public Records Act request log.

#### **901.5 RECORDS IN ELECTRONIC FORMAT**

Upon request, the District shall make available any public record in any electronic format in which the District holds the information or in the format requested if the format has been used by the District to create copies for its own use or for other agencies. The District may not provide the records only in electronic format unless specifically asked by the requestor (Government Code § 6253.9(e))

#### **901.6 FEES**

A copy of a requested public record not exempt from disclosure shall be made available upon payment of fees established by the Central Calaveras Fire Protection District governing body (Government Code § 6253(b)).

The Custodian of Records may exercise discretion to waive all or part of the fee if the requestor demonstrates that a waiver is in the public interest.

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#### 901.6.1 FEES FOR RECORDS

1. Copies of approved incident reports: \$15.00.
  - (a) Patient Care or Health information shall be redacted unless specifically authorized for inclusion.
2. Other Public Records: \$.25 / page.

#### 901.6.2 FEES FOR RECORDS IN ELECTRONIC FORMAT

The requestor shall bear the direct costs of duplication to produce a copy of a record in an electronic format and shall also bear the programming costs involved to construct a record and any computer services necessary if the request for electronic records is either (Government Code § 6253.9):

- (a) For a record that is produced only at specific scheduled intervals.
- (b) For a record that requires data compilation, extraction, or programming.

#### **901.7 RELEASE RESTRICTIONS**

In balancing the public's right to access public records, the statutory individual right of privacy and the need for the Central Calaveras Fire Protection District to be able to efficiently perform its duties, the Legislature has established certain categories of records that may be exempt from public disclosure. A complete list of statutory exemptions is found in the California Public Records Act. Absent a valid court order or other statutory authority, the Public Records Act exempts certain records from disclosure in whole or part. Those pertaining to the Central Calaveras Fire Protection District include but are not limited to the following (Government Code § 6254):

- (a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the Central Calaveras Fire Protection District in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure. If a draft contains facts and recommendations, the facts must be disclosed but the recommendations may be withheld.
- (b) Records pertaining to pending litigation to which the Central Calaveras Fire Protection District is a party or to claims made, but only until such litigation or claim has been finally adjudicated or otherwise settled. The complaint, claim, records filed in court, records that pre-date the suit, reports about projects or activities that ended in litigation, and settlement records are subject to disclosure.
- (c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
  1. Home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of members are exempt from disclosure except in certain circumstances as provided in Government Code § 6254.3.
- (d) Records of complaints to or investigations conducted by the Central Calaveras Fire Protection District for law enforcement purposes.
- (e) Attorney-client discussions are confidential.

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- (f) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations.
- (g) Contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the Central Calaveras Fire Protection District relative to the acquisition of property or to prospective public supply and construction contracts, until all of the property has been acquired or all contract agreements executed.
- (h) Records whose disclosure is exempt or prohibited pursuant to provisions of federal or state law, including but not limited to provisions of the Evidence Code relating to privilege.
- (i) Records that relate to archeological site information.

The Central Calaveras Fire Protection District retains the discretion to claim an exemption from public disclosure for any record that does not qualify for a specific exemption under the Public Records Act when the Central Calaveras Fire Protection District determines that the public interest served by not making the record public clearly outweighs the public interest served by disclosure.

Records subject to exemption may nevertheless be made available for inspection if waiving the exemption will serve the public interest, as determined by the Central Calaveras Fire Protection District on a case-by-case basis. However, the Central Calaveras Fire Protection District's determination to disclose a record, which may otherwise be exempt from disclosure, does not constitute a waiver with respect to any other records (Government Code § 6254.5).

When the Custodian of Records determines that a record is exempt and disclosure should be denied, the Custodian of Records should contact legal counsel for the District for further guidance. If legal counsel concurs with denying disclosure of the record, the Custodian of Records shall log the denial on the Public Records Act request log and provide a summary of the denial, in writing, to the Fire Chief.

#### **901.8 RELEASED RECORDS TO BE MARKED**

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise electronically marked to indicate the district name and to whom the record was released.

## Patient Medical Record Security and Privacy

### 903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish appropriate administrative, technical, and physical safeguards for patient medical records and to provide reasonable safeguards against prohibited uses and disclosures of protected health information (PHI) in accordance with federal and state law, to include the following:

- Health Insurance Portability and Accountability Act (HIPAA) (42 USC § 201 et seq.)
- California Confidentiality of Medical Information Act (CMIA) (Civil Code § 56 et seq.)
- Health and Safety Code § 1797.220
- Health and Safety Code § 1798

#### 903.1.1 DEFINITIONS

Definitions related to this policy include:

**Health information** - Any information, whether oral or recorded in any form or medium, that is created or received by the District and relates to a person's past, present, or future physical or mental health or condition, or past, present, or future payment for the provision of health care to a person (45 CFR 160.103).

**Individually identifiable health information** - Health information, including demographic information, created or received by the District that relates to an individual's past, present, or future physical or mental health or condition, the provision of health care to the individual, or the past, present, or future payment for the provision of health care to an individual that can either identify the individual or provide a reasonable basis to believe the information can be used to identify the individual (45 CFR 160.103).

**Limited data set** - PHI that excludes the following direct identifiers of an individual or of relatives, employers, or household members of the individual (45 CFR 164.514(e)):

- Names
- Postal address information, other than town or city, state, and zip code
- Telephone or fax numbers
- Email addresses
- Social Security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate or license numbers

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### *Patient Medical Record Security and Privacy*

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- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full-face photographic images and/or any comparable images

**Patient medical records** - District records or data containing any information identifying a patient.

**Protected health information (PHI)** - Individually identifiable health information that is created or received by the District. Information is protected whether it is in writing, in an electronic form, or communicated orally (45 CFR 160.103).

**Protected personal information (PPI)** - Information that includes but is not limited to PHI, pictures or other forms of voice or image recording, patient address, telephone numbers, Social Security number, date of birth, age, or any other information that could be reasonably used to uniquely identify the patient or that could result in identity theft if released for unauthorized purposes or to unauthorized personnel.

#### **903.2 POLICY**

It is the policy of the District to reasonably safeguard PHI and comply with the HIPAA and the implementing regulations through the use of policy and procedures, system access security and passwords, and limited physical access to hard copy files (45 CFR 164.530(c)).

#### **903.3 RESPONSIBILITIES**

Members shall protect the security, confidentiality, and privacy of all patient medical records in their custody at all times.

Possessing, releasing, or distributing PPI, including for unauthorized purposes, is prohibited and may violate the HIPAA and/or other applicable laws. Members who have not received district training on the proper handling of these records shall not access patient medical records.

Members with occupational access to patient medical records shall be trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy and shall reasonably ensure that no unauthorized person shall have access to PHI without the valid authorization of the patient, except as provided by law (45 CFR 164.530(b); 45 CFR 164.512; Welfare and Institutions Code § 5328(24)).

#### **903.4 PRIVACY OFFICER**

The Fire Chief shall designate a privacy officer who is responsible for all matters relating to the privacy of patient medical information, including PHI. The privacy officer shall (45 CFR 164.530):

- (a) Identify who may have access to PPI and PHI.

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- (b) Resolve complaints under the HIPAA.
- (c) Mitigate to the extent practicable any harmful effects known to the District regarding any use or disclosure of PHI in violation of this policy or the HIPAA regulations.
- (d) Ensure members are trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy.
- (e) Ensure technical and physical safeguards are implemented to maintain security and confidentiality of PHI and to allow access to PHI only to those persons or software programs that have been granted access rights.

#### **903.5 PROCEDURE**

Records containing PHI or PPI, including Pre-Hospital Care Reports (PCRs), shall be kept out of view unless the report is being completed during an incident, during input of information into the National Fire Incident Reporting System (NFIRS), or during processing or review at Central Calaveras Fire Protection District facilities by authorized personnel (45 CFR 164.530(c)).

#### **903.6 SECURITY**

All patient records containing PHI or PPI shall be kept secure at all times whether the record is in written, verbal, electronic, or any other visual or audible format (45 CFR 164.306(a)).

Documents provided by a patient or caregiver will receive the same level of confidentiality and security as district records during the time district personnel retain possession of the documents.

No patient record, including documents and electronic images containing PHI, shall be visible to the public.

##### **903.6.1 ELECTRONIC PHI SECURITY**

All computer workstations and servers within the District shall require appropriate security measures, such as user identification and login passwords, to access electronic documents, including electronic PHI (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic PHI (45 CFR 164.310; 45 CFR 164.312).

Remote access to district computer workstations requires that appropriate security measures be provided for access to PHI (45 CFR 164.312).

PHI may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet web posting, and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by

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the recipient. Any electronic PHI traveling outside a secure network environment, via the internet, requires encryption and authentication measures (45 CFR 164.312(e)).

#### 903.6.2 HARD COPIES

Hard copies of PCRs shall be kept in a secured area when unattended by authorized personnel. An area of the District is considered unattended when members are physically outside of the area and unable to maintain record security. This includes but is not limited to breaks, lunch, and meetings outside the District.

Hard copies of PCRs should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Patient records shall not be removed from the District without express authorization from the Custodian of Records.

#### **903.7 PHI RECORD REQUESTS**

The following procedures apply to PHI record requests:

- (a) Requests and subpoenas for copies of patient records shall be processed by the Custodian of Records.
- (b) The Custodian of Records or the authorized designee shall not release records containing PHI without a properly completed authorization to release medical records that is signed by the patient or legal representative of the patient.
  1. Verification that the person completing the authorization is the patient or the legal representative of the patient shall be made with government-issued identification and documentation (45 CFR 164.508(c)).
- (c) Unless the request for records is from the patient or the parent of a minor patient, PHI shall be redacted from the record. A photocopy of the record shall be distributed to the requestor.
- (d) Requests for records via a valid subpoena do not require that PHI be redacted.
- (e) Fulfilled records requests shall be placed in a sealed envelope for release to the requestor.
- (f) A full copy of the valid subpoena or authorization to release medical records form shall be maintained in the file with the PCR.

#### 903.7.1 PROHIBITED DISCLOSURES OF PHI AND PPI

The District shall not use or disclose PHI or PPI without authorization. Prohibited disclosures include any form of communication, except as permitted in this policy, including but not limited to (45 CFR 160.103):

- (a) PHI or PPI contained in email or other forms of written communication.
- (b) Sharing of PHI or PPI on any website, blog, or other form of social or public media.
- (c) Verbal discussions.

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- (d) The use of any imaging device capable of capturing and storing still or moving images, such as digital or other cameras, video cameras, cellular telephones with picture-taking or video-recording capability, or any other device with picture-taking or video-recording capability, while engaged in patient care, while at the scene of a medical emergency or hospital, or at any time when such use could reasonably be expected to result in the inappropriate capture of PHI or PPI.

#### 903.7.2 PERMITTED DISCLOSURES OF PHI AND PPI

The Custodian of Records may release records containing PHI or PPI without authorization from the patient under any of the following circumstances:

- (a) For the district's use to carry out treatment, payment, or health care operations (45 CFR 164.506)
- (b) Where the PHI is requested pursuant to a valid subpoena or court order (45 CFR 164.512(e))
- (c) Where the PHI is part of a limited data set (45 CFR 164.514(e))
- (d) Where the PHI is used for public health activities authorized by law, including when the information is necessary to report child abuse or neglect (45 CFR 164.512(b))
- (e) Where the PHI is disclosed to a government authority because the person is believed to be a victim of abuse, neglect, or domestic violence (45 CFR 164.512(c))
- (f) To law enforcement as provided in this policy (45 CFR 164.512(f))
- (g) Where the District believes that disclosure of the information is necessary to avert a serious threat to the health or safety of a person or the public (45 CFR 164.512(j))
- (h) Where the PHI is required for workers' compensation purposes (45 CFR 164.512(l))

#### 903.7.3 REQUIRED DISCLOSURES

The District must disclose PHI when:

- (a) The PHI is requested by and provided to the individual to whom the PHI belongs (45 CFR 164.502(a)(2)).
- (b) The information is required by the U.S. Secretary of Health and Human Services to investigate compliance with HIPAA (45 CFR 164.502(a)(2)).

#### 903.7.4 SUBPOENAS

Records containing PHI or PPI will be disclosed only if one of the following is present (45 CFR 164.512(e)(1)):

- (a) A court order or subpoena signed (or stamped) by a judge that requires no additional assurances or notification to the individual whose records are requested.
- (b) A subpoena or discovery order signed by an attorney which requires additional proof of service that written notification has been given to the individual whose records are requested. In such a case, the subpoena or discovery order must be accompanied by one of the following:
  1. A qualified protective order.



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2. A notice to consumer (Code of Civil Procedure § 1985.3) or a declaration by the requesting party showing that reasonable efforts have been made to ensure that notice has been provided to the individual whose records are being requested.
  - (a) No records relating to the person named in the notice will be produced until the time to respond to the notice has lapsed and no objections to the production of the materials requested have been made. If a notice to consumer is not provided, the declaration must establish that:
    1. The requesting party has made a good faith effort to provide written notice to the individual.
    2. The notice includes sufficient information about the litigation or proceeding for which the PHI is requested to allow the individual to raise an objection.
    3. The time for the individual to raise objections to the court or tribunal has elapsed.
    4. No objections were filed or all objections have been resolved.
  - (b) In lieu of a declaration, records may be released if there is a court order or a stipulation by the parties to the litigation that both (45 CFR 164.512(e)(1)(v)):
    1. Prohibits the parties from using or disclosing the PHI for any purpose other than the litigation or proceeding for which such information was requested.
    2. Requires the return to the District or destruction of the PHI (including all copies made) at the end of the litigation or proceeding.

#### 903.7.5 RELEASE OF PHI TO LAW ENFORCEMENT

The release of PHI to a law enforcement agency is permitted under the following circumstances:

- (a) In response to a law enforcement officer who and requires the PHI (45 CFR 164.512(f)(1)):
  1. To report certain types of wounds or other physical injuries.
  2. In compliance with a court order or court-ordered warrant, subpoena, or summons, a grand jury subpoena, or an administrative request.
- (b) In response to a law enforcement officer who for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person. In such a case, the District may only disclose the following PHI (45 CFR 164.512(f)(2)):
  1. Name and address
  2. Date and place of birth
  3. Social Security number
  4. ABO blood type and Rh factor
  5. The character and extent of injuries

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6. Date and time of treatment
7. Date and time of death, if applicable
8. A description of distinguishing physical characteristics

### **903.8 INDIVIDUAL RIGHTS**

The privacy officer is responsible for ensuring the District complies with all of the following rights of patients:

- (a) The right to request restrictions on certain uses and disclosures of PHI (45 CFR 164.522(a))
- (b) The right to receive their PHI confidentially (45 CFR 164.522(b))
- (c) The right to inspect and copy their PHI (45 CFR 164.524)
- (d) The right to request amendments to their PHI (45 CFR 164.526)
- (e) The right to receive an account of disclosures of PHI (45 CFR 164.528)

#### **903.8.1 PHI AMENDMENT REQUESTS**

Patients have the right to review their PHI records and, if necessary, request that amendments be made. A patient must make a request in writing to have his/her medical record amended. Included in the request must be the patient's account of the incident and what specific amendment is being requested (45 CFR 164.526(b)(1)).

The privacy officer has the authority to deny the request for amendment where the PHI (45 CFR 164.526(a)(2)):

- (a) Was not created by the District.
- (b) Is not part of the designated record.
- (c) Is not available for inspection by the requestor pursuant to 45 CFR 164.524.
- (d) Is accurate and complete.

Within 60 days of receipt of the request for amendment, the privacy officer must provide the basis for its denial in writing or, in the case that the request is approved, provide notice of approval (45 CFR 164.526(b)(2)).

The time for response may be extended for up to 30 days with a written statement to the requestor identifying the reasons for the delay and the date by which the action will be completed (45 CFR 164.526(b)(2)).

## Chapter 10 - Safety

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## Illness and Injury Prevention Program

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of injury and illness for members of the Central Calaveras Fire Protection District, in accordance with the requirements of Labor Code § 6401.7 and 8 CCR 3203.

Although this policy provides the essential guidelines for a plan that reduces injury and illness, it may be supplemented by district procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Districtwide safety efforts.

### 1000.2 POLICY

The Central Calaveras Fire Protection District will adopt an Illness and Injury Prevention Program (IIPP) in order to increase the safety of its members.

See attachment: [CCFRPT IIPP.pdf](#)

### 1000.3 ILLNESS AND INJURY PREVENTION PROGRAM PLAN

The Health and Safety Officer (HSO) is responsible for developing an IIPP that shall include:

- (a) Workplace safety and health training programs.
- (b) Safety inspections.
- (c) Informing members of IIPP guidelines.
- (d) Recognizing members who perform safe work practices.
- (e) Member evaluation processes, including member safety performance.
- (f) A system ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (g) A communication system facilitating the continuous flow of safety and health information between supervisors and members. This system shall include:
  1. New member orientation, including a discussion of safety and health policies and procedures.
  2. Regularly scheduled safety meetings.
  3. Regular member review of the IIPP.
- (h) Establishing Division Safety Coordinators and defining their responsibilities.
- (i) Posting or distributing safety information.
- (j) A system for members to anonymously inform management about workplace hazards.
- (k) A system for reviewing whether safety mandates are being met that relate to:
  1. Communicable diseases.
  2. Respiratory protection (8 CCR 5144).

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## CCFRPD Policy Manual

### *Illness and Injury Prevention Program*

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3. Bloodborne pathogens (8 CCR 5193).
  4. Aerosol transmissible diseases (8 CCR 5199).
  5. Heat illness (8 CCR 3395).
  6. Personal protective equipment.
  7. Emergency Action Plan (8 CCR 3220).
  8. Fire Prevention Plan (8 CCR 3221).
  9. Workplace Violence Prevention Plan (8 CCR 3342).
- (l) Availability of forms that address:
1. Identification, documentation, and correction of hazards, any unsafe condition or work practice, and actions taken to correct them.
  2. Investigations and corrective actions taken regarding individual incidents or accidents.
  3. Training records of each member, including the member's name or other identifier, training dates, type of training, and training providers.
- (m) Establishing a safety and health committee, which will:
1. Meet regularly.
  2. Prepare a written record of safety and health committee meetings.
  3. Review the results of periodic scheduled inspections.
  4. Review investigations of accidents and exposures.
  5. Make suggestions to command staff for the prevention of future incidents.
  6. Review investigations of alleged hazardous conditions.
  7. Submit recommendations to assist in the evaluation of member safety suggestions.
  8. Assess the effectiveness of efforts made by the District to meet standards.

The HSO must conduct and document a review of the IIPP at least annually.

#### **1000.4 INSPECTIONS**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Division Safety Coordinators shall ensure that the appropriate documentation is completed for each inspection.

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#### **1000.5 HAZARDS**

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Fire Chief via the chain of command.

The Fire Chief will take appropriate action to ensure the IIPP plan addresses potential hazards upon such notification.

#### **1000.6 RECORDS**

Records relating to injury and illness prevention will be maintained in accordance with the established records retention schedule.

#### **1000.7 SUPERVISOR RESPONSIBILITIES**

Supervisor responsibilities include but are not limited to:

- (a) Ensuring member compliance with injury and illness prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Conduct and Behavior Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to injury and illness prevention; such forms and reports shall be submitted to the Fire Chief.
- (e) Notifying the HSO when:
  1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
  2. New, previously unidentified hazards are recognized.
  3. Occupational injuries and illnesses occur.

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### *Illness and Injury Prevention Program*

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4. New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
5. Workplace conditions warrant an inspection.

## Cal/OSHA Notification of Injury, Illness or Death

### 1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for the District to immediately report to Cal/OSHA any death, serious injury or illness connected with the victim's employment (including members of this district). Immediately shall mean as soon as practicable, but generally no longer than eight hours after the District has knowledge of the injury, illness or death. If exigent circumstances exist, the time frame for the report shall be no longer than 24 hours after the incident (8 CCR 342(a)).

#### 1002.1.1 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this district who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal/OSHA is notified by telephone with all pertinent information (8 CCR 342(b)).

### 1002.2 PROCEDURE

Fire Chief Cal/OSHA requires the following information, if available, be submitted with the notification (8 CCR 342(c)):

- Time and date of the accident, injury, illness or death
- Reporting district's name, address and telephone number
- Name and job title of the person making the report
- Address of the incident
- Name of the person to contact at the site of the incident
- Name and address of the injured, ill or deceased member
- Nature of the injury or illness
- The location where the injured member was transferred
- The names of any other fire or law enforcement agencies present at the site of the incident, including the names and badge numbers of personnel present
- A description of the accident/incident and whether the accident scene has been altered
- If the accident/incident was caused by an instrument or machinery, whether that instrument or machinery has been altered

During normal business hours, the Captain shall provide the information to the Fire Chief directly when the illness or injury involves a member of this district. After normal business hours, the appropriate Captain shall contact ECC to have the Fire Chief notified. In either case, the Fire Chief is responsible for reporting the required information to Cal/OSHA at the 24 hours a day seven days a week contact number maintained by ECC.



# Central Calaveras Fire Protection District

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## *Cal/OSHA Notification of Injury, Illness or Death*

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For incident-related responses not involving members of the Central Calaveras Fire Protection District and requiring telephonic notification to Cal/OSHA, the company officer shall be responsible for the notification.

[Reporting Resources - CalOsha](#)

# Respiratory Protection Program

## 1007.1 PURPOSE AND SCOPE

The purpose of this policy is to identify the different types of respiratory protection equipment provided by the District, the requirements and guidelines for the use of respirators and the other mandates associated with their use (8 CCR 5144).

This policy applies to all members whose job duties could require them to use respiratory protection, due to exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. The policy is intended to ensure that the District complies with the mandates of 8 CCR 3409 and 8 CCR 5144 et seq.

### 1007.1.1 DEFINITIONS

Definitions related to this policy include (8 CCR 5140):

**Aerosol** - Liquid or solid particles dispersed in a gaseous medium such as air, including mists, smokes, fumes and dusts.

**Dusts** - Formed when solid materials are broken down, such as by drilling, sanding or grinding. The smaller the dust particle, the longer it hovers in the air.

**Fumes** - Solid condensation particulates, usually of a vaporized metal.

**Gas** - A substance that is in a gaseous state at normal temperature and pressure; it has neither independent shape nor volume but tends to expand indefinitely.

**Immediately dangerous to life or health (IDLH)** - Any atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. Interior atmospheric conditions at structure fires beyond the incipient stage are considered IDLH, as are a variety of rescue types (8 CCR 5144(b)).

**Mists** - Liquid particles generated by condensation of a substance from the gaseous state to the liquid state, or by breaking up a liquid into a dispersed state (e.g., spraying).

**Respiratory protection** - Any device that is worn by the user to reduce or eliminate exposure to harmful contaminants through the inhalation of those contaminants.

**Vapors** - The gaseous form of a substance that is normally a solid or liquid at room temperature and pressure. Liquids are changed into the vapor state and mixed with the surrounding atmosphere through evaporation.

## 1007.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to require members to use the proper level of respiratory protection, as described below, when working in hazardous conditions. The level of protection may be increased or decreased by a company officer or Incident Commander (IC), based upon their evaluation of the hazard. Members shall not be required, or

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allowed, to enter or work in hazardous conditions without proper respiratory protection, and shall be trained in the proper use and care of the devices (8 CCR 3409; 8 CCR 5144).

#### **1007.3 RESPIRATORY PROTECTION PROGRAM ADMINISTRATOR**

The Fire Chief will designate a program administrator with sufficient training or experience to oversee the objectives of this policy and ensure that the District meets any legal mandates related to respiratory protection (8 CCR 5144(c)).

The administrator shall:

- (a) Maintain, implement and administer a written respiratory protection program.
- (b) Ensure the written respiratory protection program and related procedures are followed and appropriate.
- (c) Ensure the procedures and written respiratory protection program address relevant mandates (8 CCR 5144).
- (d) Ensure selected respirators continue to effectively protect members.
- (e) Have supervisors periodically monitor member respirator use to make sure members are using them properly.
- (f) Regularly ask members who are required to use respirators for their input on program effectiveness and whether they have problems with the following (8 CCR 5144(l)).
  1. Respirator fit during use
  2. Any effects of respirator use on work performance
  3. Respirators being appropriate for the hazards encountered
  4. Proper use under current work site conditions
  5. Proper maintenance
- (g) Ensure the District covers the costs associated with respirators, medical evaluations, fit testing, training, maintenance, travel costs and wages, as applicable.
- (h) Provide direction for respirator selection.
- (i) Require medical evaluations for members who use respiratory protection as set forth in 8 CCR 5144 et seq.

#### **1007.4 USE OF RESPIRATORY PROTECTION**

Members exposed to harmful exposure in the course of their assigned activities shall use respiratory protection devices (8 CCR 3409).

Members using respiratory protection shall ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function (8 CCR 5144(g)).

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Paid personnel shall report to work clean shaven each day and stay clean shaven while on shift. Moustaches are allowed but shall be trimmed so that hair will not intrude into any area where the respirator mask seals against the face. Sideburns shall be trimmed to such length or width so as to not intrude into any area where the respirator mask seals against the face.

Volunteer Firefighters responding to any incident which may require the use of SCBA shall be clean shaven in areas where facial hair may intrude into the area where the respirator mask seals against the face.

Members shall not wear corrective glasses, goggles or other personal protective equipment (PPE) that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment (8 CCR 5144(g)).

For all tight-fitting respirators, members shall perform a user seal check each time they put on the respirators, using the procedures in 8 CCR 5144, Appendix B-1 or other district-approved procedures recommended by the respirator manufacturer (8 CCR 5144(g)).

Company officers shall monitor members using respiratory protection and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the company officer shall reevaluate the continued effectiveness of the respirator and shall direct the member to leave the respirator use area when (8 CCR 5144(g)):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or when there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator or the filter, cartridge or canister.

Members who detect vapor or gas breakthrough, changes in breathing resistance or leakage of the facepiece shall replace or repair the respirator before returning to the work area.

#### 1007.4.1 USE OF SELF-CONTAINED BREATHING APPARATUS

Self-contained breathing apparatus (SCBA) are atmosphere-supplying respirators for which the breathing air source is designed to be carried by the user and which operate under positive pressure, allowing breathable air to escape from the facepiece while preventing contaminants from entering the facepiece (8 CCR 5144(b)).

Members shall use SCBA when entering an atmosphere that may be IDLH (8 CCR 5144(g)). These situations may include, but are not limited to:

- Entering an area that may be oxygen deficient such as confined spaces, trenches, unventilated structures or septic tanks.
- Engaging in any firefighting operations, with the possible exception of a vegetation fire.
- Entering the hot zone of a hazardous materials incident.

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- Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- Any incident when an explosion or rupture might be anticipated.
- Any time use is specified by the company officer or IC.

Facepieces should be donned and regulators attached before entering any smoke-filled area or IDLH environment. Use of SCBA shall not cease until approved by the IC.

#### 1007.4.2 USE OF FULL-FACE RESPIRATORS

Full-face respirators are respirators that fit over the full face to protect the face and eyes from contaminants while they filter air.

Company officers or the IC may allow the use of full-face respirators in situations where, due to the duration of the incident and level of exposure, the use of SCBA is not necessary or practical. These situations may include, but are not limited to:

- (a) Hazardous materials incidents where members are not working in the hot zone.
- (b) Overhaul operations where the structure has been fully ventilated and the atmosphere has been tested for unsafe levels of carbon monoxide and adequate levels of oxygen.
- (c) Incidents involving weapons of mass destruction where members are outside of the hot zone and not directly exposed to any known hazard.
- (d) Certain emergency medical responses where additional protection is warranted.

Full-face respirators shall not be used when there is a potential for an oxygen-deficient atmosphere.

#### 1007.4.3 USE OF CARTRIDGE RESPIRATORS

Cartridge respirators are a type of air-purifying respirator that can be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Cartridge respirators provide limited air-purification capabilities, operate under negative pressure and allow some inward leakage of contaminated air around the sealing surfaces of the respirator. The correct cartridge must be selected prior to use.

A company officer or IC may specify the use of cartridge respirators in situations where the use of an SCBA or full-face respirator is not necessary. These incidents may include vegetation fires, exposure to a patient with a communicable disease and certain other incidents. Cartridge respirators shall not be used if there is a potential for an oxygen-deficient atmosphere or risk of exposure to the member's face or eyes.

Cartridge respirator filters shall be replaced whenever:

- The wearer begins to smell, taste or be irritated by a contaminant.
- The wearer begins to experience difficulty breathing due to filter loading.
- The cartridges or filters become wet.

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- The expiration date on the cartridges or canisters has been reached.

#### 1007.4.4 USE OF N95 MEDICAL MASKS

N95 medical masks are a class of disposable respirators that are approved by the Food and Drug Administration (FDA) and the National Institute for Occupational Safety and Health (NIOSH) as suitable for use where fluid resistance is a priority. The masks protect against particulate contaminants that are 0.3 microns or larger, and meet the Centers for Disease Control and Prevention (CDC) guidelines for the prevention of tuberculosis (TB) exposure. Misuse of the N95 respirators may result in serious injury or death. N95 masks should only be used to protect the wearer from particulate contaminants and are not suitable in an oxygen-deficient atmosphere or where an unsafe level of carbon monoxide exists.

#### 1007.4.5 USE OF P100 MEDICAL MASKS

An aerosol transmissible disease (ATD) or aerosol transmissible pathogen (ATP) is a disease or pathogen for which droplet or airborne precautions are required, as listed in 8 CCR 5199, Appendix A (8 CCR 5199(b)).

P100 medical masks are disposable respirators that should be used when members may encounter cases or suspected cases of ATDs or ATPs. P100 masks should be used if the member suspects a patient may have an aerosolized infectious disease and when administering aerosolized medications. P100 masks should only be used to protect the wearer from particulate contaminants and are not suitable in an oxygen-deficient atmosphere or where an unsafe level of carbon monoxide exists (8 CCR 5199(g)(3)).

#### 1007.4.6 TRAINING

Members should not use SCBA, full-face respirators or cartridge respirators unless they have completed the mandatory training requirements for the selected device. Annual training on the proper use of respiratory protection devices is mandatory for members (see the Respiratory Protection Training Policy) (8 CCR 5144(k)).

### **1007.5 EQUIPMENT ACQUISITION AND SPECIFICATIONS**

#### 1007.5.1 SCBA REQUIREMENTS

Central Calaveras Fire Protection District's SCBA shall meet the standards found in the most current National Fire Protection Association (NFPA) publication and approved for use by NIOSH (8 CCR 5144(d)).

The Central Calaveras Fire Protection District shall use only the respirator manufacturer's NIOSH-approved breathing-gas containers, marked and maintained in accordance with the quality assurance provisions of the NIOSH approval for the SCBA as issued in accordance with the NIOSH respirator certification standard at 42 CFR part 84 (8 CCR 5144(i)).

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### 1007.5.2 COMPRESSED BREATHING AIR

Compressed breathing air used in SCBA should meet at least the requirements for Grade D breathing air as described in the American National Standards Institute (ANSI) Compressed Gas Association Commodity Specification for Air (G-7.1-1989) (8 CCR 5144(i)).

Compressed breathing air must contain:

- (a) An oxygen content of 19.5 percent to 23.5 percent.
- (b) A hydrocarbon (condensed) content of 5 milligrams per cubic meter of air or less.
- (c) A carbon monoxide (CO) content of 10 parts per million (ppm) or less.
- (d) A carbon dioxide content of 1,000 ppm or less.
- (e) A lack of noticeable odor.

### 1007.6 RESPIRATOR FIT TESTING

Fit tests are used to qualitatively or quantitatively evaluate the fit of a respirator on an individual (8 CCR 5144(b)). Each new member shall be fit tested before being permitted to use SCBA in a hazardous atmosphere. Fit tests may only be administered by persons determined to be qualified by the program administrator (8 CCR 5144(f)).

All members who are required to wear SCBA and rely on a mask-to-face seal shall complete fit testing for all respiratory protection devices they may use.

After initial testing, fit testing shall be repeated:

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All members require initial fit testing for use of N95 or P100 masks to ensure a proper fit prior to responding to an incident that may expose them to a communicable disease.

#### 1007.6.1 RESPIRATOR FIT TESTING PROCEDURES

All respirator fit testing shall be conducted in accordance with Appendix A of 8 CCR 5144 including, but not limited to (8 CCR 5144(f)(5)):

- Qualitative testing for subjective sensation (e.g., taste, irritation, smell) of the respirator wearer to a particular contaminant.
- Quantitative instrument testing to measure face seal leakage.

Fit testing of tight-fitting respirators is to be done only in a negative-pressure mode. If the facepiece is modified for fit testing, the modification shall not affect the normal fit of the device. Such modified devices shall only be used for fit testing and not for field use (8 CCR 5144(f)).

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Prior to the use of a respirator, the user shall also perform a user seal check to determine if the respirator is properly seated to the face (8 CCR 5144(b)). The user seal check shall be performed by conducting both positive and negative fit checks as follows:

- **Positive user seal check:** With palms over exhalation valve opening, exhale gently into the mask. Pressure should be felt in the facepiece.
- **Negative user seal check:** With palms over cartridge openings, inhale for 10 seconds. The mask should be felt pulling in toward the face.

#### 1007.6.2 FIT TESTING RECORDS

The Training Officer shall be responsible for maintaining records of all fit testing.

Current fit test records shall be retained as required by the district records retention schedule, but in all cases at least until the next fit test is administered. Fit test records should include (8 CCR 5144(m)):

- (a) Name of person tested.
- (b) Test date.
- (c) Type of fit test performed.
- (d) Description (type, manufacturer, model, style and size) of the respirator tested.
- (e) Results of fit tests (e.g., quantitative fit tests should include the overall fit factor and a print out or other recording of the test).
- (f) The written guidelines for the respirator fit testing program, including pass/fail criteria.
- (g) Instrumentation or equipment used for the test.
- (h) Name or identification of test operator.

#### 1007.7 RESPIRATOR MEDICAL EVALUATION QUESTIONNAIRE

All members who are required to use respiratory protection must complete a medical evaluation questionnaire upon initial fit testing and annually thereafter as well as if any of the following conditions arise between annual tests (8 CCR 5144(e)):

- (a) A member reports medical signs or symptoms that are related to his/her ability to use a respirator.
- (b) A Physician or Licensed Health Care Professional (PLHCP), supervisor or the respirator program administrator informs the employer that an employee needs to be reevaluated.
- (c) Information from the respiratory protection program, including observations made during fit testing and program evaluation, indicates a need for an employee reevaluation.
- (d) A change occurs in workplace conditions (e.g., physical work effort, protective clothing, temperature) that may result in a substantial increase in the physiological burden placed on an employee.



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The questionnaires will be reviewed by a PLHCP selected by the District to determine which, if any, members need to complete physical examinations.

The Training Officer shall be responsible for maintaining records of all annual respirator medical evaluation questionnaires and any subsequent physical examination results pursuant to state law (8 CCR 5144(m)).

#### **1007.8 INSPECTION AND MAINTENANCE OF RESPIRATORS**

Prior to each shift, members are required to physically inspect and operate all SCBA and respirators that are on frontline fire apparatus. If the equipment is not in daily use, it should be inspected at least once a week and after each cleaning. Inspection should include, but is not limited to (8 CCR 5144(h)):

- (a) All alarm devices on the SCBA should be tested for proper operation.
- (b) Any SCBA or respirator which is not operating properly or is below district standard air volume shall be taken out of service immediately until the problem is remedied. All in-service SCBA cylinders shall be maintained in a fully charged state and shall be recharged when the air pressure falls to 90 percent of the manufacturer's recommended pressure level.
- (c) Rubber facepiece:
  - 1. Excessive dirt
  - 2. Cracks, tears, holes
  - 3. Distortion from improper storage
  - 4. Cracked, loose or scratched lenses (full facepiece)
  - 5. Broken or missing mounting clips
- (d) Head straps:
  - 1. Breaks or tears
  - 2. Loss of elasticity
  - 3. Broken or malfunctioning buckles or attachments
  - 4. Excessively worn serrations of the head harness which might allow the facepiece to slip
- (e) Inhalation and exhalation valves:
  - 1. Detergent residue, dust particles or dirt on valve seal
  - 2. Cracks, tears or distortion in the valve material or valve seal
  - 3. Missing or defective valve covers
- (f) Filter elements:

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1. Proper filter for the hazard
2. Approved designation (NIOSH)
3. Missing or worn gaskets
4. Worn thread
5. Cracks or dents in filter housing

#### 1007.8.1 MAINTENANCE, INSPECTION AND ANNUAL SERVICE

Members should thoroughly clean and sanitize all SCBA and respirators after each use. Respirators may be washed with mild detergent and warm water using a brush, followed by a thorough rinsing with fresh water and drying in a contaminant-free location. Sanitizing of respirators is performed with cotton swabs and/or isopropyl alcohol pads.

All partially empty bottles should be replaced with full bottles. Members should perform the inspections noted above before placing an SCBA or respirator back in service.

Every SCBA shall be inspected monthly by the District and serviced on an annual basis by individuals who have been trained and certified by the SCBA manufacturer to perform such annual servicing. SCBA bottles shall be hydrostatically tested pursuant to applicable federal regulations, state standards and manufacturer recommendations.

All maintenance, inspection and cleaning mandates of 8 CCR 5144(h) shall apply.

#### 1007.8.2 STORAGE

Respirators in storage shall be protected against (8 CCR 5144(h)):

- Damage
- Contamination
- Dust
- Sunlight
- Extreme temperatures
- Excessive moisture
- Damaging chemicals

Freshly cleaned respirators can be stored in reusable plastic bags or in a storage cabinet. Care must be taken so that distortion or deformation of the facepiece, exhalation valve, and rubber or elastic parts does not occur. Respirators shall not be stored in lockers or vehicles unless the respirators are stored in individual containers and are protected from damage.

All filters, cartridges and canisters shall be properly labeled and color coded with NIOSH approval labels. Labels shall not be removed and must remain legible (8 CCR 5144(j)).

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### 1007.8.3 FLOW TESTING

The District shall conduct annual flow testing on all SCBA. A flow test, also known as a performance test, ensures that the SCBA is performing to the manufacturer's specifications. Unlike basic inspections and functional testing, flow testing requires specialized equipment. The District shall use NFPA standards or the SCBA manufacturer's requirements for flow testing, whichever is more stringent.

Exposing SCBA to extreme temperatures, water or chemicals can degrade SCBA performance. If an SCBA is exposed to any type of corrosive material that could lead to a component failure, it should be sent to a certified SCBA technician for testing. If a member suspects that an SCBA has been compromised or damaged, a flow test should be conducted to ensure that it is in good working order.

All annual flow testing must be performed by a certified SCBA technician.

### 1007.9 FIRE INSPECTORS

Fire inspectors may be at risk for exposure to hazardous atmospheres during routine inspection activities. To avoid exposure, inspectors should employ common sense, awareness of potential hazards and their effects, and any necessary site-specific training.

Fire inspectors should not knowingly enter a room or area containing a hazardous atmosphere. If the inspector cannot verify the safety of the atmosphere, he/she should consult a representative of the location being inspected prior to entry to avoid accidental exposure.

### 1007.10 PROGRAM EVALUATION

The District must conduct ongoing evaluations of the respiratory protection program to identify deficiencies and to make corrections as needed. The process of evaluating the effectiveness of the district respiratory protection program includes (8 CCR 5144(I)):

- (a) Verifying that there are no feasible alternatives to respirators.
- (b) Conducting regular workplace evaluations for respiratory hazards.
  1. These evaluations will determine whether the correct respirators are being used and worn properly.
  2. Such evaluations will also serve to determine whether the training program needs to be changed or updated.

### 1007.11 EXPOSURES

Any member who is exposed to a hazardous atmosphere should immediately leave the room or area and move to an area containing fresh, uncontaminated air. Symptoms of hazardous atmosphere exposure may include, but are not limited to:

- Difficulty breathing.
- Dizziness, headache or other distress symptoms.
- A sense of irritation.

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- A smell or taste of contaminants.

If a member feels ill or impaired in any way, a supervisor should be notified, and emergency medical personnel summoned if not already available on-scene. Any time there is a doubt about the need for medical care, medical care shall be obtained. Any injury or exposure must be documented on an injury reporting form. Under most circumstances, the exposed member should not drive a vehicle.

An attempt should be made to identify the exposure agent by questioning the facility representative or by reviewing the hazardous materials inventory. A supervisor should attempt to make this determination. If possible, a Safety Data Sheet (SDS) for the exposure agent should be obtained.

## Chapter 11 - Personnel

## Recruitment and Selection

### 1100.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the recruiting, selection, training, and retention processes utilized by the Central Calaveras Fire Protection District. This policy supplements any rules that govern employment practices for the Central Calaveras Fire Protection District.

### 1100.2 POLICY

In accordance with applicable federal, state, and local law, the Central Calaveras Fire Protection District provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, or any other protected class or status. The District does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

### 1100.3 RECRUITMENT

The Administration Division should employ a comprehensive recruitment and selection strategy to recruit and select members from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive district website and the use of district-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Member referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administration Division shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The District should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

[See attachment: Pre-Employment and Promotional Examination Process.pdf](#)

### 1100.4 SELECTION PROCESS FOR PAID POSTIONS

The District shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the District should employ

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a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
- Driving record
- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1 (documentation may be requested upon hire)
- Information obtained from public internet sites
- Financial history consistent with the Fair Credit Reporting Act (FCRA) and Investigative Consumer Reporting Agencies Act (ICRAA) (15 USC § 1681 et seq.; Civil Code § 1786.12)
- Local, state, and federal criminal history record checks following a conditional offer of employment unless otherwise required by law
- Polygraph or voice stress analysis (VSA) examination (when legally permissible) (Labor Code § 432.2)
- Medical and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

#### 1100.4.1 VETERAN PREFERENCE

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran's preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

#### 1100.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Central Calaveras Fire Protection District.

##### 1100.5.1 NOTICES

The Administration Division shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the ICRAA (15 USC § 1681d; Civil Code § 1786.16).

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### 1100.5.2 CRIMINAL BACKGROUND INFORMATION

Criminal background information, whether directly from criminal offender record information (CORI) or provided by a third party, may have restrictions on the access, use, security, and release of the information. The Administration Division shall establish procedures to ensure compliance with any applicable requirements and security limitations (Government Code § 12952).

### 1100.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Administration Division shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Administration Fire Chief should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- The legal rights of candidates are protected.
- Material and information to be considered are verified, accurate, and validated.
- The District fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Administration Fire Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

### 1100.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

### 1100.5.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

## **1100.6 DISQUALIFICATION GUIDELINES**

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior



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- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Qualifications under Title 22 for emergency medical responders
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

### **1100.7 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the District and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner (see the Position Descriptions Policy). Each standard should include performance indicators for candidate evaluation. The Administration should maintain validated standards for all positions.

Selection standards for promotional opportunities are detailed in the Promotions and Transfers Policy.

#### **1100.7.1 MINIMUM STANDARDS FOR FIREFIGHTERS**

Generally, the standards may include the following requirements. The candidate should:

- (a) Be at least 18 years of age by the closing date of the recruitment period.
- (b) Be in possession of a high school diploma or a General Equivalency Diploma (GED).
- (c) Have good vision in both eyes, with the ability to distinguish Occupational Safety and Health Administration (OSHA) color codes for hazardous materials (e.g., blue, red, yellow, white), and have no depth or peripheral vision impairment.
- (d) Meet the objectives and minimum standards established in the International Association of Fire Chiefs (IAFC)/International Association of Fire Fighters (IAFF) Fire Service Joint Labor Management Wellness-Fitness Initiative or similar validated health screening process.
- (e) Meet the minimum standards established by the National Fire Protection Association (NFPA).
- (f) Be in possession of, or have the ability to obtain, a valid state driver license in the class required for the position sought.
- (g) Be a U.S. citizen or have proof of a legal right to work in the U.S.

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- (h) Comply with background requirements under Title 22 for emergency medical responders

#### **1100.8 TRAINING**

All entry-level firefighter candidates should complete training in an accredited fire training program established by the Office of the State Fire Marshal (OSFM), including the California Fire Service Training and Education System (CFSTES) (Health and Safety Code § 13159 et seq.).

#### **1100.9 RETENTION**

The primary focus should be on hiring those who are the best fit for a particular position. In order to retain quality members, the District should:

- Seek member input on retention strategies.
- Develop a workplace that respects, encourages, and enables a work/life balance.
- Facilitate training and career development opportunities.
- Develop and maintain quality supervisors.
- Provide regular and meaningful performance feedback.
- Promote an environment where members are able to speak freely.
- Treat members fairly, equitably, and consistently.
- Consider ways to reward excellent performance.
- Follow up on any feedback acquired during an exit interview process.

Retention incentives may include items from a collective bargaining agreement, employment benefits, seniority benefits, and forms of recognition.

#### **1100.10 VOLUNTEER APPLICATION PROCESS**

Members of the community who wish to become volunteer firefighters with the [District] must meet the minimum standards for employment and complete the following application process:

- (a) Applicant: An individual interested in becoming a volunteer firefighter must submit a Central Fire New Employee Application to become an Applicant with Central Calaveras Fire and Rescue. Applicants may attend training sessions and participate in activities which do not require personal protective equipment. Applicants may observe activities which require personal protective equipment. Applicants may not respond to incidents.
- (b) Trainee: Applicants who have completed the following may be deemed Trainees.
  1. Live Scan background check
  2. Employment Physical
  3. Drug Test
  4. Complete and return the following forms:

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- (a) Volunteer Application Form
  - (b) DMV Authorization for Release of Driver Record
  - (c) W-9, Request for Taxpayer ID
  - (d) W-4, Employee's Withholding Allowance
  - (e) I-9, Employment Eligibility Verification
  - (f) Documentation of Immunizations or signed waiver
  - (g) Hepatitis-B Vaccination Program (or provide a copy of your Hepatitis-B Vaccination Record)
5. Review and Acknowledge Policies and Procedures and Standard Operating Guidelines
6. Provide copies of the following items:
  - (a) High School Diploma / GED
  - (b) Current California Drivers License
  - (c) Birth Certificate
  - (d) Proof of Vehicle Insurance
  - (e) Copies of any valid and relevant certificates (e.g. CPR, EMT, etc.)
7. The application will be screened by Staff Members and Applicant's references will be contacted
8. Applicant's who meet the minimum requirements and have satisfactory references will complete an interview with Fire Chief.
9. Trainees may be issued uniforms and required personal protective equipment, subject to availability. Trainees may respond to emergency incidents on a Central Fire Apparatus, under the supervision of a CCF Firefighter or Fire Officer.

## Performance Evaluations

### 1101.1 PURPOSE AND SCOPE

The objective of the evaluation system is to record work performance for both the District and the employee, giving recognition for good work and providing a guide for improvement where needed. The employee performance evaluation report is a gauge in measuring performance and is used for making personnel decisions relating to merit increase, promotion, reassignment, discipline, demotion and termination. The report also provides a guide for mutual work planning and review and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

### 1101.2 POLICY

Employee performance evaluations will be undertaken based on job-related factors specific to the position occupied by the employee without regard to race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental disability, marital status or sex.

### 1101.3 PROCEDURE

Within one year of appointment to a supervisory position, all supervisors should attend an approved supervisory course that includes training on the completion of performance evaluations.

Each evaluation will cover a specific time period and should be based on the employee's performance during that period. At the beginning of the rating period, each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation rating criteria with each employee. When a non-probationary employee's job performance falls below the established standards of the job, the supervisor should, as soon as practicable but at least 90 days prior to the end of the annual evaluation period, advise the employee in writing in order to provide an opportunity for the employee to improve performance. The involved employee should be provided the opportunity to initial any such writing and respond in writing within 30 days, if desired. Failure to meet established performance standards is justification for an unsatisfactory rating. Rating factors that are not observed are assumed to be performed at a standard level.

The performance evaluation report will be completed by the employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

### 1101.4 FULL-TIME PROBATIONARY EMPLOYEES

All personnel will serve a 12-month probationary period before being eligible for certification as permanent employees. Probationary employees shall be evaluated quarterly during the probationary period. Performance evaluation reports shall be completed as defined by the Administration by specific job classification for all other full-time personnel during the probationary period.

## *Performance Evaluations*

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### **1101.5 FULL-TIME PERMANENT STATUS EMPLOYEES**

Permanent employees are subject to three types of performance evaluations:

**Regular** - A performance evaluation report shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire, except for employees who have been promoted. In the case of promotion, a performance evaluation report shall be completed on the anniversary of the employee's date of last promotion.

**Transfer** - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, an evaluation shall be completed by the current supervisor with input from the previous supervisor.

**Special** - A special evaluation may be completed any time the rater and the rater's supervisor believe one is necessary due to employee performance deficiencies. Generally, the special evaluation will be used to document areas of performance deemed less than standard when follow-up action is planned (e.g., action plan, remedial training, retraining). The evaluation form and associated documentation shall be submitted as one package.

#### 1101.5.1 RATINGS

**Outstanding** - Performance that is well beyond that expected or required in the standards for the position. It is exceptional performance, definitely superior or extraordinary.

**Exceeds standards** - Performance that is better than expected of a fully competent employee. It is superior to what is expected or required by the standards for the position but is not of such rare nature to warrant outstanding.

**Meets standards** - Performance expected of a fully competent employee and meets the standards required of the position.

**Needs improvement** - Performance that is less than that expected of a fully competent employee and less than the standards required of the position. A needs improvement rating should be thoroughly discussed with the employee and include a structured plan intended to improve performance, with short interval interim evaluations.

**Unsatisfactory** - Performance that is inadequate or undesirable, intolerable and inferior to the standards required of the position.

Written comments should be used by the rater to document the employee's strengths, weaknesses and make any suggestions for improvement. Any job dimension rating marked unsatisfactory or outstanding should be substantiated in the rater comments section.

### **1101.6 EVALUATION INTERVIEW**

When a supervisor has completed the preliminary evaluation arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results with the employee and answer any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level

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### *Performance Evaluations*

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of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the employee comments section of the performance evaluation report.

#### **1101.6.1 DISCRIMINATORY HARASSMENT FORM**

At the time of the annual evaluation, the reviewing supervisor shall require the employee to read the District and district harassment and discrimination policies. Following such a review, the supervisor shall provide the employee a form to be completed and returned by the employee, certifying:

- (a) That the employee understands the harassment and discrimination policies.
- (b) Whether any questions the employee has have been sufficiently addressed.
- (c) That the employee knows how and where to report harassment policy violations.
- (d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy and that has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee's completed form shall be attached to the performance evaluation report. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall ensure that appropriate follow-up action is taken.

#### **1101.7 EVALUATION REVIEW**

After the supervisor finishes the discussion with the employee, the signed performance evaluation report should be forwarded to the rater's supervisor for review.

The second-level supervisor should review the evaluation for fairness, impartiality, uniformity, and consistency, and evaluate the first level supervisor on the quality of the ratings provided to employee.

#### **1101.8 RECORDS MANAGEMENT**

The original performance evaluation report should be maintained in the employee's personnel for the tenure of the employee's employment. A copy should be provided to the employee and a copy should be forwarded to the Administration.

## Fire Officer Development

### 1103.1 PURPOSE AND SCOPE

The purpose of this policy is to define the required and recommended competencies in the Central Calaveras Fire Protection District Fire Officer Development program.

### 1103.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to utilize national, state and regionally recognized standards and certification programs to train and develop members' knowledge, skills and abilities for supervisory roles.

## Compensation

### 1106.1 PURPOSE

The Board of Directors shall adopt and authorize compensation plans for all paid employees and job classifications.

Compensation plans may include any single element or combinations of salary, benefits, longevity, and other programs negotiated or otherwise authorized by the Board of Directors.

### 1106.2 COMPENSATION PLANS

Compensation plans for paid job classifications:

- (a) Fire Chief: The Fire Chief is an part-time FSLA Exempt position assigned to a 20 hour work week. \$27.00 / hour.
- (b) Fire Operations Captains: Fire Operations Captains are Fire Suppression personnel assigned to (48 hour workweek). \$15.00 / hour.
- (c) Volunteer Recruitment and Retention Coordinator: Flexible schedule on an 18 hour workweek. \$19.00 / hour.

### 1106.3 LONGEVITY

- (a) Longevity shall be awarded for all time served with the Fire District (volunteer, part-time, extra-hire, full-time) on an annual basis.
- (b) Continuous service with the District will start with the date of appointment and will continue until one of the following occurs:
  - 1. An employee is discharged for cause.
  - 2. An employee voluntarily terminates his/her employment.
  - 3. An employee is laid off.
  - 4. Continuity of an employee's service will not be broken by absence for the following reasons and his/her length of service will accrue for the period of such absence.
    - (a) Absence by reason of industrial disability.
    - (b) Authorized leave for less than 120 days in a calendar year.
  - 5. Absences governed by applicable state and/or federal laws such as military or National Guard service.
- (c) Continuity of an employee's service will not be broken by absence for the following reasons and his/her length of service will not accrue for the period of such absence:
  - 1. Layoffs as per Reduction in Force Policy.
- (d) Longevity Pay
  - 1. Permanent, Full-Time employees will receive an additional Longevity Incentive increase added to their base pay as follows:



## *Compensation*

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- (a) 5 Years of Service = 10%
- (b) 10 Years of Service = 20%
- (c) 15 Years of Service = 30 %
- (d) 20 Years of Service = 40 %

### **1106.4 FLSA Exempt Strike Team / Assignment Incentive Pay**

- (a) FLSA Exempt employees required to work assignments mandated by the Fire Districts contractual agreement under Master Mutual Aid (i.e. Strike Teams) or a large-scale emergency incident requiring shifts in excess of normal duty assignments are eligible for Assignment Incentive Pay.
- (b) Assignment Incentive Pay shall be calculated as follows:
  - 1. Eligible FLSA Exempt employees shall receive additional pay for hours in excess of 96 actual hours in a 2 week pay period.
  - 2. Pay shall be calculated at the normal hourly rate for hours worked.
  - 3. Assignment incentive Pay must be approved by the Fire Chief. If the Fire Chief is the FLSA Exempt Employee, the President and Treasurer of the Board of Directors must approve the Assignment Incentive Pay.

## Overtime

### 1107.1 PURPOSE AND SCOPE

The purpose of this policy is to identify the use and management of overtime by Central Calaveras Fire Protection District members and to establish an overtime payment request process.

### 1107.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to maintain a degree of flexibility concerning the overtime policy due to the nature of fire service work and the needs of the District.

### 1107.3 PROCEDURE

- (a) Overtime may be available due to unforeseen personnel absences, emergency incidents or constant staffing requirements. The Fire Chief or the authorized designee should develop a plan for the fair distribution of both the workload and the income opportunity. The plan should consider the District's interest in managing overtime costs.
- (b) Any instance of work that requires overtime payment shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of shift in which the overtime is worked.
- (c) Members classified as non-exempt by the Fair Labor Standards Act (FLSA) are not authorized to volunteer work time to the District. Non-exempt members who work authorized overtime either by payment of wages as agreed or by the allowance of accrual of compensatory time off should submit a request for overtime payment as soon as practicable after overtime is worked.
- (d) Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the member by flexing a subsequent shift schedule to compensate for the time worked, rather than by submitting a request for overtime payment. If the supervisor authorizes or directs the member to complete an overtime request for such a period, the member shall comply.
- (e) Regular overtime shall mean that overtime paid for those hours worked during the course of an assigned shift which are more than the maximum allowed by the Fair Labor Standards Act during a prescribed work period for fire personnel. Additional overtime shall mean overtime paid for hours worked when not on assigned shift. Regular and additional overtime shall be paid at a rate of time-and-one-half.
- (f) As per criteria outlined within the Federal Fair Labor Standards Act the following personnel are declared exempt from rules and regulations pertaining to the payment of overtime: District Fire Chief.
  1. The Board of Directors may grant executive leaves or additional compensation to administrative personnel not eligible for overtime when unusual circumstances require extended work days or work weeks beyond what is considered reasonable.

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### Overtime

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- (g) Personnel not assigned to shifts who work more than 40 hours per week, not otherwise compensated by stipend payments and not otherwise exempted shall be paid at a rate of time-and-one-half (1.5T) for hours worked in excess of forty hours.
- (h) Pursuant to FLSA Section 13(b)(20), shift fire suppression personnel are exempt from Overtime for their regularly scheduled tour of duty. The District has authorized the payment of Overtime (or the accumulation of CTO) for any time worked beyond their regularly scheduled tour of duty.
- (i) Compensation for shift personnel specifically ordered back to duty at the request of the Fire Chief for an emergency (emergency callback) shall be compensated for a minimum of two (2) hours for each callback. Compensation shall be paid at time and a half (1.5T). Compensation will be with Compensatory Time Off (CTO) if the employee has less than the maximum accrual of CTO.
- (j) Compensation for off-duty employees who respond to a toned alarm within the District's boundaries, not specifically requested by the Fire Chief, will be paid a minimum of one hour or for actual time on incident, whichever is more, at time and a half (1.5T). Compensation will be with Compensatory Time Off (CTO) if the employee has less than the maximum accrual of CTO.
- (k) Compensation for actual hours of callback, additional overtime, and off-duty alarm responses will be computed to the nearest one-fourth (1/4) of an hour, and will be credited as compensatory time in lieu of receiving an overtime payment, until the member exceeds the number of hours of CTO allowed by District rules and regulations.
- (l) Members working overtime resulting from the District's commitment to Contracted staffing (i.e Strike Teams) may elect to receive overtime payments regardless of the CTO accrual bank.

#### 1107.4 ACCOUNTING FOR OVERTIME

Members should record the actual time worked in an overtime status on the approved timesheet.

##### 1107.4.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour, as indicated below:

TIME WORKED	INDICATE ON CARD
1 to 15 minutes	¼ hour
16 to 30 minutes	½ hour
31 to 45 minutes	¾ hour
46 to 60 minutes	1 hour

##### 1107.4.2 VARIATION IN TIME REPORTED

Where two or more members are assigned to the same incident or activity, and the amount of time for which payment is requested varies between the members, the Captain or other approving supervisor may require each member to include the reason for the variation.

## **Discriminatory Harassment**

### **1108.1 PURPOSE AND SCOPE**

This policy is intended to prevent district members from being subjected to discrimination or sexual harassment (Government Code § 12940(k); 2 CCR 11023). Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

### **1108.2 POLICY**

The Central Calaveras Fire Protection District is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The District will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The District will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the District may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

### **1108.3 DISCRIMINATION PROHIBITED**

#### **1108.3.1 DISCRIMINATION**

The District prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on the actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments or crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or district equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to district policy and to the district's commitment to a discrimination-free work environment.

#### **1108.3.2 RETALIATION**

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination,

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### *Discriminatory Harassment*

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participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated (see the Anti-Retaliation Policy).

#### 1108.3.3 SEXUAL HARASSMENT

The District prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

#### 1108.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing guidelines.
- (b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with District or district rules or regulations, or any other appropriate work-related communication between supervisor and member.

#### 1108.4 RESPONSIBILITIES

This policy applies to all district members. All members shall follow the intent of these guidelines in a manner that reflects district policy and the best interest of the Central Calaveras Fire Protection District and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Fire Chief, the Fire Chief, or the Board of Directors.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

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#### 1108.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, a manager, the Fire Chief, the Fire Chief, the Board of Directors, or the California Department of Fair Employment and Housing (DFEH) for further information, direction, or clarification (Government Code § 12950).

#### 1108.4.2 SUPERVISOR RESPONSIBILITY

Each supervisor and manager shall:

- (a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensure that subordinates understand their responsibilities under this policy.
- (d) Ensure that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Notify the Fire Chief or Fire Chief in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

#### 1108.4.3 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing, or retaliatory. Supervisors and managers shall be aware of the following considerations:

- (a) Behavior of supervisors and managers should represent the values of the District.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.
- (c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.
- (d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

#### **1108.5 INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member or members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Central Calaveras Fire Protection District that all complaints of discrimination or harassment shall be fully

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documented and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

#### 1108.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional, or highly inappropriate. However, if the member feels uncomfortable, threatened, or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

#### 1108.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The member assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint, and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency, dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Fire Chief, Fire Chief, or the Board of Directors.

#### 1108.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the District. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

#### 1108.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Fire Chief. The outcome of all reports shall be:

- (a) Approved by the Fire Chief, the Board of Directors, or the Fire Chief, as deemed appropriate.
- (b) Maintained for the period established in the district's records retention schedule.

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### *Discriminatory Harassment*

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#### 1108.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and action taken to remedy or address the circumstances giving rise to the complaint.

#### **1108.7 TRAINING**

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during his/her term of employment with the District.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

#### 1108.7.1 STATE-REQUIRED TRAINING

The Training Officer should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

- (a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
- (b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
- (c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by the DFEH online training courses, the Training Officer should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

#### 1108.7.2 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

#### **1108.8 REQUIRED POSTERS**

The District shall display the required poster regarding discrimination, harassment, and transgender rights in a prominent and accessible location for members (Government Code § 12950).



## Conduct and Behavior

### 1109.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to prevent activities or behaviors that may lead to disciplinary actions or dismissal.

### 1109.2 POLICY

It is the policy of this district that its members strive to attain the highest professional standard of conduct and discharge their duties in a courteous and professional manner.

### 1109.3 PROFESSIONAL CONDUCT

As a condition of employment, or as a condition of volunteer membership, all members should be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens, and should conduct themselves at all times in such manner as to reflect favorably on the District. Conduct unbecoming a member shall include that which discredits the District or the person as a member of the District or which impairs the operation or efficiency of the District or its members. Infractions of any standards of conduct and behavior may lead to disciplinary action up to and including discharge.

All members should conduct themselves in a manner that will not impair the good order and discipline of the District. Members should not, while on-duty, indulge in offensive, obscene or uncivil language, gossip, slander or open criticism, verbal or physical altercations or threats thereof, throwing objects, horseplay, practical jokes, or conduct which might cause injury to another person.

All members of the District should be familiar with the expected standard of behavior, both on- and off-duty.

### 1109.4 INTERACTION WITH THE PUBLIC

In the performance of their duties, members should be courteous to the public and tactful in the performance of their duties. They should control their tempers, exercise reasonable patience and discretion and should not engage in any argumentative discussions even when provoked.

In the performance of their duties, members should not use coarse, violent, profane or insolent language or gestures and should not express prejudice concerning race, religion, politics, sex, age (40 and over), gender identity, gender expression, physical or mental disability, genetic information or other medical condition, sexual orientation, marital status, national origin, lifestyle or similar personal characteristics (Government Code § 12940 et seq.).

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### *Conduct and Behavior*

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#### **1109.5 COURTESY TO MEMBERS**

Members should be courteous and respectful in their relations with all members of the District. Members shall not use coarse, violent, profane or insolent language or gestures and shall not express prejudice concerning race, religion, politics, sex, age (40 and over), gender identity, gender expression, physical or mental disability, genetic information or other medical condition, sexual orientation, marital status, national origin, lifestyle or similar personal characteristics (Government Code § 12940 et seq.).

#### **1109.6 CONFORMANCE TO LAWS**

Members shall obey all laws of the United States and of any state and local jurisdiction in which the member is present.

#### **1109.7 DEROGATORY OR MALICIOUS STATEMENTS**

Members should not be a party to any malicious gossip, report or activity which would tend to disrupt district morale or bring discredit to the District or any member thereof. Member questions concerning district policy, activities, officers and/or safety issues shall be submitted by official written communication to the member's immediate supervisor.

#### **1109.8 POLITICAL AND RELIGIOUS ACTIVITY**

Members should not engage in religious or political activities of any kind while on-duty. Members are also prohibited from engaging in any religious or political activity off-duty while wearing any uniform items or equipment that could identify them as members of the District.

#### **1109.9 SEXUAL ACTIVITY**

Members should not engage in any sexual activity while on-duty. This includes use of any electronic device to communicate or receive messages, photos or any other content of a sexual or provocative nature.

#### **1109.10 ILLEGAL GAMBLING**

Members should not engage or participate in any form of illegal gambling at any time while on-duty. This includes accessing gaming websites from computers or any electronic device, whether district-issued or owned by the member.

#### **1109.11 GIFTS AND GRATUITIES**

Members should not solicit or accept any gift, including money, tangible or intangible personal property, or any service, gratuity, favor, entertainment, hospitality, loan, promise, service or any other thing of value from any person, business or organization that is doing business with, or seeking to do business with, the District.

If it may reasonably be inferred that the person, business or organization seeks to influence the actions of an official or seeks to affect the performance of an official while on-duty, the incident should be immediately reported to the next level supervisor. This rule does not take the place of

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any relevant requirements applicable to individuals under Government Code § 1090 et seq. or the State Political Reform Act, Government Code § 87100 et seq.

### **1109.12 OFFERS OF DONATIONS AND GIFTS OF THE HEART**

Members who are approached with monetary donations following major disasters shall direct the person or entity to the Administration Division for instruction on proper ways to donate.

At no time should a member accept any monetary donation from the public. If a citizen offers a gift of a non-monetary nature, such as food or product, the gift shall be placed in an area of the station or office to be shared by all members.

At no time shall a member consider a gift of the heart as a personal present.

### **1109.13 ABUSE OF POSITION**

Members should not use their official position, official identification cards or badges to avoid the consequences of illegal acts or for other non-work related personal gain. Members shall not lend to another person their identification cards or badges or permit their identification cards or badges to be photographed or reproduced without the approval of the Fire Chief.

Members should not authorize the use of their name, photograph or official title that identifies them as district members (e.g., in connection with testimonials or advertisements of any commodity or commercial enterprise) without the approval of the Fire Chief.

### **1109.14 PUBLIC STATEMENTS AND APPEARANCES**

Members should not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, or release or divulge investigative information or information on any other matter of the District while presenting themselves or in any way identifying themselves as representing the District, without the approval of the Fire Chief.

## Personnel Complaints

### 1110.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting, investigation and disposition of complaints regarding the conduct of members of this district and the service provided by this district. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

This policy is intended to be applied in accordance with the procedures, rights or status that may be contained in any applicable collective bargaining agreement or policy established by the District's Administration.

The pre- and post-disciplinary procedures set forth in this policy do not apply to complaints against at-will members who are not covered by the Firefighters Procedural Bill of Rights Act (FBOR).

### 1110.2 POLICY

This district takes seriously all complaints regarding service provided by the District and the conduct of its members. The District will accept and address all complaints of member misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this district to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1110.3 PERSONNEL COMPLAINTS

Personnel complaints consist of any allegation of misconduct or improper job performance by any employee that, if true, would constitute a violation of district policy or rule or federal, state or local law. Allegations or complaints may be generated internally or by the public.

Inquiries about employee conduct or performance that, if true, would not violate district policy or rule or federal, state or local law may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the district's response to specific incidents.

#### 1110.3.1 CLASSIFYING COMPLAINTS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the member's Captain is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member. The responsible supervisor shall have the discretion to determine the appropriate manner for resolving the complaint.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or

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referred to the designated district representative, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the designated district representative, such matters need not be documented as personnel complaints but may be further investigated or resolved as a complaint, depending on the seriousness of the complaint and the availability of sufficient information.

### **1110.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

#### 1110.4.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms will be available and clearly visible in public access locations within district facilities. Forms will also be available on the district website. Forms may also be available at other government offices and facilities. Personnel complaint forms in languages other than English may also be provided as determined necessary or practicable.

Every supervisor is responsible for monitoring public satisfaction or inquiries regarding the personnel complaint process and forwarding to the Captain any suggestions for improvement or changes.

#### 1110.4.2 SOURCES OF COMPLAINTS

- (a) Members of the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any district member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging the misconduct of a member that, if true, could result in disciplinary action.
- (d) Anonymous complaints and third-party citizen complaints should be accepted and investigated to the extent that sufficient information is provided.

#### 1110.4.3 ACCEPTANCE OF COMPLAINTS

All complaints will be courteously accepted by any member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed verbally, either in person or by telephoning the District, and will be accepted by any supervisor. If a supervisor is not immediately available to take a verbal complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact of the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

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### **1110.5 COMPLAINT DOCUMENTATION AND TRACKING**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the District should audit the log and send an audit report to the Fire Chief or the authorized designee.

### **1110.6 DISCIPLINARY INVESTIGATIONS**

All allegations of misconduct will be investigated as follows:

#### **1110.6.1 SUPERVISOR RESPONSIBILITIES**

In general, the primary responsibility for the investigation of a complaint rests with the member's immediate supervisor, unless the supervisor is the complainant, is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Fire Chief or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

Supervisors shall be responsible for the following:

- (a) District supervisors should respond to all complaints in a courteous and professional manner.
- (b) A supervisor receiving a formal complaint involving allegations of a potentially serious nature shall ensure that the Captain, Fire Chief and Fire Chief are notified as soon as practicable.
- (c) A supervisor receiving or initiating any formal complaint shall ensure that a personnel complaint form has been completed as fully as possible. The original complaint form will then be directed to the Captain of the accused member, via the chain of command. The Captain will forward a copy of the complaint to the Fire Chief to take any appropriate action and/or assign the complaint for investigation. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor may orally report the matter to the Captain, Fire Chief or Fire Chief.
- (d) A supervisor investigating any complaint should:
  1. Make reasonable efforts to obtain names, addresses and telephone numbers of additional witnesses.
  2. When appropriate, provide immediate medical attention and take photographs of alleged injuries as well as accessible areas of non-injury.

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- (e) When the nature of a personnel complaint relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination, the supervisor receiving the complaint shall promptly contact the Administration and the Captain for direction regarding his/her role in addressing the complaint.
- (f) Supervisors who receive a citizen complaint that can be resolved immediately should do so. Follow-up contact with the person who made the complaint should be made within 24 hours of the District receiving the complaint. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Captain.
- (g) Unresolved citizen complaints shall be forwarded to the Captain to determine whether to contact the person who made the complaint or assign the complaint for investigation.
- (h) The supervisor shall ensure that the procedural rights of the accused member are followed.
- (i) Within three days after assignment, the complainant should be informed of the investigator's name and the complaint number.
- (j) Interviews of the complainant should be conducted during reasonable hours.

#### 1110.6.2 INVESTIGATION PROCEDURES

The following procedures shall also be followed with regard to any accused member covered by FBOR (Government Code § 3253):

- (a) Not less than 48 hours before an investigator begins an interview to obtain facts and statements, the District should:
  - 1. Provide the name and rank of the person in charge of the investigation and of those who will conduct any interviews.
  - 2. Provide the date, time and place of the interview and the names of all who will be present.
  - 3. Provide the member a written summary of the alleged misconduct and a description of the nature of the investigation.
- (b) Interviews of accused members should be conducted during reasonable work hours of the member and, if the member is off-duty, the member shall be compensated.
- (c) Off-duty interviews should only be conducted based on the seriousness of the investigation and other factors when time is of the essence.
- (d) An investigator should not interview a member at that person's home without the member's prior permission.
- (e) No more than two interviewers should ask questions of an accused member to prevent confusion or misunderstandings.

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- (f) All interviews shall be for a reasonable period or duration and the member's personal needs shall be accommodated.
- (g) No member shall be subjected to offensive or threatening language nor shall any promises, rewards or other inducements be used to obtain answers. Any member refusing to answer questions directly related to the investigation may be ordered to answer questions or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator.
- (h) Absent circumstances preventing it, the interviewer should record all interviews of members and witnesses. The member may also record interviews. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview. The member shall also be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those portions that are otherwise required by law to be kept confidential.
- (i) If the allegations involve potential criminal conduct, the member shall be advised of his/her constitutional rights. This admonishment shall be given regardless of whether the member was advised of these rights during any separate criminal investigation.
- (j) A member subjected to interviews that could result in punitive action shall have the right to have a representative of his/her choosing during any interrogation. However, in order to maintain the integrity of each individual member's statement, involved members shall not consult or meet with representatives or attorneys collectively or in groups prior to being interviewed.
- (k) All members shall provide complete and truthful responses to questions posed during interviews.
- (l) No member may be compelled to submit to a deception detection device/polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

#### 1110.6.3 INVESTIGATION FORMAT

Investigations of complaints should be timely, detailed, complete and essentially follow this format:

**Introduction** - Include the identity of the member, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a very brief summary of the facts giving rise to the investigation.

**Summary of allegations** - List the allegations separately, including applicable policy sections, with a very brief summary of the evidence relevant to each allegation.

**Evidence as to each allegation** - Each allegation should be set forth with the details of the evidence applicable to each allegation and include comprehensive summaries of member and



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witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos and documents) should be attached to the report.

### 1110.6.4 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances dictate that allowing the accused to continue to work would adversely affect the mission of the District, the Fire Chief or the authorized designee may temporarily assign an accused employee to administrative leave. The Fire Chief or authorized designee shall notify the Administration in writing of the employee's administrative leave and the cause for the leave.

### 1110.7 POST-INVESTIGATION PROCEDURES

Upon completion, the report should be forwarded to the Fire Chief through the chain of command of the involved member. Each level of command should review and include their comments in writing before forwarding the report. The Fire Chief may accept or modify the classification and recommendation for disciplinary action contained in the report.

#### 1110.7.1 FIRE CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Fire Chief of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Fire Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Fire Chief, the Fire Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Fire Chief, the Fire Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

#### 1110.7.2 RESPONSIBILITIES OF THE FIRE CHIEF

Upon receipt of any written recommendation for disciplinary action, the Fire Chief shall review the recommendation and all accompanying materials. The Fire Chief may modify any recommendation and/or may return the file to the Fire Chief for further investigation or action.

Once the Fire Chief is satisfied that no further investigation or action is required by staff, the Fire Chief shall determine the amount of discipline, if any, to be imposed. In the event that disciplinary action is proposed, the Fire Chief shall provide the member with written notice of the following information:

- (a) Access to all of the materials considered by the Fire Chief in recommending the proposed discipline

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- (b) An opportunity to respond orally or in writing to the Fire Chief within five days of receiving the notice
  - 1. Upon a showing of good cause by the member, the Fire Chief may grant a reasonable extension of time for the member to respond.
  - 2. If the member elects to respond orally, the presentation shall be recorded by the District. Upon request, the member shall be provided with a copy of the recording.
- (c) Once the member has completed his/her response or, if the member has elected to waive any such response, the Fire Chief shall consider all information received in regard to the recommended discipline. The Fire Chief shall thereafter render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline.
- (d) Once the Fire Chief has issued a written decision, the discipline shall become effective.

### **1110.8 PRE-DISCIPLINE MEMBER RESPONSE**

The pre-discipline process is intended to provide the accused member with an opportunity to present a written or oral response to the Fire Chief after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The member shall consider the following:

- (a) This response is not intended to be an adversarial or formal hearing.
- (b) Although the member may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The member may suggest that further investigation could be conducted or the member may offer any additional information or mitigating factors for the Fire Chief to consider.
- (d) In the event that the Fire Chief elects to cause further investigation to be conducted, the member shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
- (e) The member may thereafter have the opportunity to further respond orally or in writing to the Fire Chief on the limited issues of information raised in any subsequent materials.

### **1110.9 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a retirement or resignation by itself shall not serve as grounds for the termination of any pending investigation or discipline.

### *Personnel Complaints*

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#### **1110.10 POST-DISCIPLINE APPEAL RIGHTS**

Non-probationary members have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step and termination from employment. The member has the right to appeal using the procedures established in any operative collective bargaining agreement and/or personnel rules.

In the event of punitive action against a member covered by FBOR, the appeal process shall be in compliance with Government Code § 3254.5.

#### **1110.11 AT-WILL AND PROBATIONARY MEMBERS**

At-will and probationary members not subject to FBOR may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy and without notice or any cause at any time during the probationary period. These members are not entitled to any rights under this policy.

Any probationary period may be extended at the discretion of the Fire Chief in cases where the member has been absent for more than a week or when additional time to review the member is considered by the Fire Chief to be appropriate.

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# Jury Duty and On-Duty Voting in Statewide Elections

## 1112.1 PURPOSE AND SCOPE

Although members are encouraged to use alternative voting methods, such as absentee ballots or early voting, this policy provides guidelines to enable members to vote in all statewide elections. This policy also provides direction to members who are called to jury duty.

## 1112.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to provide members a reasonable opportunity to vote in all statewide elections and to be granted time off for jury duty.

## 1112.3 VOTING PROCEDURES

Polls are generally open from 7:00 a.m. to 8:00 p.m. each election day for statewide elections. Members scheduled to be at work during that time may take up to two hours off to vote without losing any pay (Elections Code § 14000).

Employees who need time off to vote must notify their supervisor at least two working days prior to the election.

Supervisors shall allow members time off to vote according to the following:

- (a) Employees may take as much time as needed to vote but only two hours of that time will be paid.
- (b) Authorized time off for voting should be at the beginning or end of a regular work shift, whichever allows the most free time for voting and the least time off from the regular working shift.
- (c) Members working 24-hour shifts ending on the day of the election will not be relieved early to vote.

## 1112.4 POSTED NOTICE

The Fire Suppression Fire Chief should ensure that the required notice informing employees of their voting rights under state law is conspicuously posted not less than 10 days before every statewide election (Election Code §14001).

The notice should be posted in all fire stations and at all fire district facilities. [Notices](#) from the California Secretary of State may be used for this purpose.

## 1112.5 JURY DUTY PROCEDURES

Employees who are summoned to jury duty should notify the District as soon as practicable as to the potential impact to their work schedule. If a member receives a summons for jury duty and

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## *Jury Duty and On-Duty Voting in Statewide Elections*

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it falls on an on-duty day, the member shall promptly notify his/her supervisor. Members shall be granted leave for jury duty for the hours required by the court.

The member should obtain a jury duty excuse form from the court and present the document to his/her supervisor upon returning to work.

Reimbursements for jury duty time that coincides with District duty time, other than mileage, shall be turned over to the District or deducted from the employee's regular salary.

## Lactation Breaks

### 1120.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for a nursing child (29 USC § 207, Labor Code § 1030, Labor Code § 1031 and Labor Code § 1032).

### 1120.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to provide a reasonable amount of break time and appropriate facilities to accommodate any member desiring to express breast milk for a nursing child (29 USC § 207 and Labor Code § 1030, Labor Code § 1031 and Labor Code § 1032).

### 1120.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portions of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding 15 minutes will be unpaid (Labor Code § 1030).

Members desiring to take a lactation break shall notify a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt district operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### 1120.4 PRIVATE LOCATION

The District will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from coworkers and the public (29 USC § 207 and Labor Code § 1031).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

## *Lactation Breaks*

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### **1120.5 STORAGE OF EXPRESSED MILK**

Any member storing expressed milk in any authorized refrigerated area within the District shall clearly label it as such. No expressed milk shall be stored at the District beyond the member's shift.

## Badges

### 1125.1 PURPOSE AND SCOPE

The name of the Central Calaveras Fire Protection District and the district badge and uniform patches are property of the District. This policy establishes the rules associated with Central Calaveras Fire Protection District badges and any likeness of the badge.

### 1125.2 POLICY

The Central Calaveras Fire Protection District may issue members of the District a curved uniform badge for use or display in compliance with this policy.

Only authorized badges issued or formally authorized by this district shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

### 1125.3 BADGE TYPES

#### 1125.3.1 SWORN MEMBER FLAT BADGES

Sworn members may, at their own expense and with the written approval of the Fire Chief, purchase a flat badge that can be carried in a wallet.

A sworn member may sell, exchange or transfer a flat badge only to another sworn member of the Central Calaveras Fire Protection District Central Calaveras Fire Protection District and only with the written approval of the Fire Chief.

#### 1125.3.2 CIVILIAN MEMBER BADGES

Curved uniform badges issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned member (e.g., dispatcher, Public Information Officer, inspectors).

- (a) Non-sworn personnel shall not display the district badge except as a part of the uniform and while on-duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display the district badge or represent themselves, on- or off-duty, in such a manner which would cause a reasonable person to believe that they are a sworn member of the District.
- (c) Non-sworn personnel may not purchase, carry or display a flat badge.

#### 1125.3.3 RETIREE BADGES

Upon honorable retirement, a member may purchase his/her assigned curved uniform badge for memorabilia purposes. Other uses of the badge may be unlawful. The badge will remain the property of the Central Calaveras Fire Protection District and may be revoked in the event of misuse or abuse.

An honorably retired sworn member of the District may keep his/her flat badge upon retirement.



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### *Badges*

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#### **1125.3.4 MOURNING BADGE**

Uniformed members shall wear a black mourning band across the uniform badge whenever a firefighter is killed in the line of duty. The following mourning periods will be observed:

- (a) A firefighter of this district: From the time of death until midnight on the 14th day after the death.
- (b) A firefighter from this or an adjacent county: From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee: While attending the funeral of an out-of-region firefighter.
- (d) As directed by the Fire Chief.

#### **1125.4 LOSS OF BADGE**

Any member who loses any badge must immediately report the loss to his/her supervisor. A badge should be considered lost whenever it is not in the direct control of the member.

#### **1125.5 UNAUTHORIZED USE OF BADGES**

No badge shall be issued to anyone other than a current or honorably retired member of the District. District badges are for official use only.

The district badge, uniform patch or any likeness thereof shall not be used for personal or private reasons including, but not limited to, letters, memoranda or electronic communications, such as e-mail, websites or web pages.

Members may not use the district badge, uniform patch or district name in any material (printed matter, products or other items) without approval of the Fire Chief.

Members shall not loan their district badge to others and shall not permit the badge to be reproduced or duplicated.

#### **1125.6 PERMITTED BADGE USE BY MEMBER GROUPS**

The likeness of the district badge shall not be used by any member group without the express prior authorization of the Fire Chief and shall be subject to the following:

- (a) The member associations may use the likeness of the district badge for merchandise and official association business provided the merchandise is used in a clear representation of the association and not the Central Calaveras Fire Protection District. The following modifications shall be included:
  - 1. Any text referring to the Central Calaveras Fire Protection District shall be replaced with the name of the member association.
  - 2. The badge number portion of the image shall display the name or acronym of the member association.

## On-Duty Injuries

### 1127.1 PURPOSE AND SCOPE

The purpose of this policy is to assist the Central Calaveras Fire Protection District in accurately reporting work-related illnesses and injuries and managing workers' compensation costs. The policy also provides district members with information concerning California state-mandated workers' compensation benefits and assistance to members who are either injured or develop a work-related illness as a result of their employment (8 CCR 9880).

Nothing in this policy is intended to confer any rights greater than those provided by state workers' compensation laws.

#### 1127.1.1 DEFINITIONS

Definitions related to this policy include:

**Permanent and stationary** - The status of an injured member whose medical condition has reached maximum medical improvement.

**Permanent disability** - The status of an injured member who is permanently disabled.

**Temporary disability** - The status of an injured member who is unable to return to work because the member has not yet achieved a permanent and stationary status.

**Third-party administrator** - An entity responsible for adjusting workers' compensation claims on behalf of an employer.

**Work-related injury** - Any injury or disease arising out of employment or occurring in the course of employment duties (Labor Code § 3208); includes the contraction of a communicable disease (Labor Code § 5500.5).

### 1127.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to provide workers' compensation benefits and assistance to all members who incur a work-related illness or injury. The District shall display a notice to employees regarding access to benefits and provide new members with a written notice concerning their rights, benefits, and obligations under workers' compensation laws (8 CCR 9880 and 8 CCR 9881).

### 1127.3 PROCEDURE

Work-related injuries or illnesses incurred by members may be covered by workers' compensation through the Central Calaveras Fire Protection District. To be considered work-related, the injury or illness must arise from and occur in the course of employment. When authorized by a physician, medical expenses related to the treatment of a work-related injury or illness may include doctor, hospital, surgical, physical therapy, prescription medication, or medical equipment. Workers' compensation may pay for wages lost as a result of an injury or illness, provided that absence from work is related to a work injury or illness and is authorized by a physician.

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### *On-Duty Injuries*

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#### 1127.3.1 MEMBER RESPONSIBILITIES

A member who is injured on the job must immediately report his/her injury to a supervisor or the Administration. Any member who is involved in any accident while on-duty shall report such injury, illness, or accident as soon as practicable to his/her supervisor (8 CCR 14300.35).

An injured member or member who has suffered a work-related illness shall report as soon as practicable to his/her immediate supervisor the medical findings concerning the injury, the extent of any work restrictions and the anticipated duration, if known. In addition, such members are required to promptly submit all medical releases, whether partial or full releases, to a supervisor.

Members should contact the person designated by the District for more information concerning workers' compensation benefits and payment of wages while off-duty due to a work-related injury or illness.

A member may be treated for an on-duty injury or illness by a personal physician that the member pre-designates in writing, prior to the injury or illness. The member may use the optional DWC Form 9783 Pre-designation of Personal Physician for this purpose (8 CCR 9780.1).

Members shall report any near-miss incident to their supervisor as soon as practicable. A near-miss incident is one where a mishap occurs but the member avoids serious injury or illness (e.g., slipping on an uneven surface but not falling).

#### 1127.3.2 SUPERVISOR RESPONSIBILITIES

If injury is life-threatening, Emergency Medical Services (EMS) should begin or be summoned immediately.

If the injury is of a less emergent nature, the supervisor should ensure the member contacts the district-designated occupational medical provider. If the member has a pre-designated personal physician on file, the member may be treated by that physician.

If the injury does not require medical attention, the supervisor shall report the injury. The supervisor shall sign the report and indicate that the member desired no medical attention at the time of the report.

Within 24 hours of notification of an injury, the supervisor shall give the member a DWC-1 Employee's Claim for Workers' Compensation Benefits Form. The supervisor should have the injured member complete the member's portion of the form. If the member is unable to complete the DWC-1, the form may either be sent to the member's home or completed by the supervisor. The supervisor should complete the employer's portion as well.

The supervisor shall ensure that an Employer's Report of Occupational Illness/Injury (Form 5020) is filed with the Department of Industrial Relations within five days of the notice of injury (8 CCR 14004).

Supervisors receiving a report of a near-miss incident should prepare a detailed description of the incident and any recommendations or efforts to mitigate any identified hazards. Supervisors should forward the report to the Administration Division.

## *On-Duty Injuries*

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### 1127.3.3 ADMINISTRATION RESPONSIBILITY

The Administration should evaluate the request to return to work and any necessary medical verification and make a determination whether:

- The member may return to work based on the medical documentation provided by the member.
- It is necessary to engage in an interactive process to determine a reasonable accommodation.
- It is necessary and appropriate to send the member to a fitness-for-duty evaluation.

The Administration, in consultation with the appropriate Fire Chief will make a recommendation to the Fire Chief or the authorized designee whether the member should be returned to full-duty or modified-duty, and will communicate the decision to the member regarding his/her return to work.

### 1127.3.4 RETURN TO WORK FOLLOWING INJURY OR ILLNESS

It is the member's responsibility to keep the District informed regarding his/her absence and to immediately advise the person designated by the District when the member believes that he/she will be released to return to work, with or without limitations. If practicable, the member shall provide advance notice of his/her potential return to work. If requested, it is the member's responsibility to provide medical verification.

A summary of steps for returning to work following an injury or illness can be located in the Return to Work Policy.

### 1127.3.5 TEMPORARY MODIFIED-DUTY ASSIGNMENT

A temporary modified-duty assignment may be available for a member with temporary limitations on his/her ability to perform normal job duties. See the Temporary Modified-Duty Assignments Policy for additional information.

## **1127.4 SETTLEMENT OF INJURY CLAIMS**

Occasionally, a member's work-related injury or illness results from the negligent or wrongful acts of another, for which the member, the District, and/or other insurers are entitled to recover civilly. To ensure that the District's interests are protected and that the member has the benefit of the District's experience in these matters, the following procedure shall be followed.

### 1127.4.1 MEMBER OFFERS TO SETTLE

When a member sustains a work-related injury or illness caused by another person and is then approached by the person or an agent, insurance company or attorney and offered a settlement of claims, that member shall take no action other than to make a written report of this contact to his/her supervisor as soon as possible.

### 1127.4.2 SETTLEMENT AUTHORIZATION

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an on-duty injury, the member shall provide the Fire Chief with written notice of

## *On-Duty Injuries*

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the proposed terms of such settlement. In no case shall the member accept a settlement without first providing such written notice to the Fire Chief. The purpose of such notice is to permit the District to determine whether the offered settlement will affect any claim the District may have regarding payment for damages to equipment or reimbursement for wages against the person who caused the accident or injury and to protect the District's right of subrogation, while ensuring that the member's right to receive compensation for injuries is not affected.

### **1127.5 MONTHLY WORKERS' COMPENSATION CLAIM REVIEW**

A representative from the Administration Division will ensure there is a monthly workers' compensation claim review with appropriate managers from the Administration, any third-party administrator, and the Fire Suppression Fire Chief. At these monthly meetings, the following should be reviewed and discussed:

- Notable cases, such as those with customer relations, legal, time lost, medical, and other related claim issues
- Number of the previous month's new claims categorized by battalion and or section
- Number of permanent disability settlements approved the previous month
- Notable positive claim results
- Any actuarial studies, workers' compensation program audits, and injury trends
- Executive management direction on complex cases, such as those with organization-wide impact, future precedent, sub-rosa investigations and the direction of the workers' compensation and the safety and injury prevention programs.

### **1127.6 MANAGEMENT REPORTS**

There are three key management reports that shall be completed. These reports will provide management with the necessary reports to ensure the district's workers' compensation program is accomplishing the following:

- Meeting the needs of members following an injury or illness
- Complying with workers' compensation laws
- Minimizing workers' compensation costs while ensuring the provision of benefits to injured/ill members.

The three management reports shall be:

**Annual Workers' Compensation Program Report** - This report will summarize the past calendar year of program activity, including but not limited to settlements, loss control, injury analysis, and recommendations for program improvement.

**Annual Actuary Report** - An independent actuary shall complete an analysis to project the reserves needed by the District to insure its workers' compensation program. Annual funding needs are generally based on the actuary's analysis of the district's loss history, insurance levels, and changes in state law.

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**Annual Third-Party Administrator Stewardship Report** - The stewardship report will assist the District in measuring the effectiveness of the services contract with the workers' compensation program third-party administrator. The report will include the following:

- Utilization of the third-party administrator's services
- Cost savings achieved
- The average incurred and total costs paid per claim
- Workers' compensation and temporary disability costs paid by fiscal year
- Injuries by body part and nature of loss (e.g., sprain, contusion, laceration)

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## Driver License Requirements

### 1138.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to ensure that all Central Calaveras Fire Protection District members who drive as a part of their duties have and maintain required driving licenses.

### 1138.2 POLICY

In order to promote driver safety, it is the policy of the Central Calaveras Fire Protection District that any member who is assigned duties that require him/her to drive district vehicles or equipment, or drive a privately owned vehicle while conducting district business, has and maintains driving privileges and licenses consistent with their duties.

### 1138.3 REQUIREMENTS

Any member who is assigned duties that require him/her to drive district vehicles, equipment or private vehicles shall be required to obtain and maintain a valid driver license and complete and sign a Department of Motor Vehicles (DMV) Authorization to Release Driver Record (Form INF 1101) (Vehicle Code § 12500(a); Vehicle Code § 12500(d)).

The Fire Chief will ensure that the both Form INF 1101 and a Government Employer Pull Notice Form (INF 1103) to enroll the member in the DMV Employer Pull Notice (EPN) Program are in the employees Personnel File and electronically submitted to the DMV.

Enrollment in the EPN program will result in the DMV generating a driver license report for the District for each member annually and any time one of the following occurs:

- Conviction
- Failure to appear
- Collision
- Driver license suspension or revocation
- Any other action taken against the driving privilege
- Expiration of medical certification for a commercial driver license

Any member who is assigned duties that require him/her to operate firefighting equipment, including a tiller operator, is also required to obtain and maintain a Class A or B license appropriate for the size and configuration of the firefighting equipment or a firefighter endorsement issued by the DMV in addition to obtaining and maintaining a class C license, a restricted class A license, or a non-commercial class B license (Vehicle Code § 12804.11).

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### *Driver License Requirements*

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#### 1138.3.1 REVIEW OF RECORDS

The Fire Chief for his/her designee shall monitor the driving records of all members who are assigned duties that require driving while conducting district business, to confirm each driver has a valid driver license and to monitor driving records for potential problem behavior.

The Fire Chief for his/her designee shall be responsible for reviewing the driver license reports as part of the hiring process and any time an incident occurs that affects a member's eligibility to drive.

When a member leaves employment, the Fire Chief shall complete and submit to the DMV the appropriate form to delete the member from the EPN program.

#### 1138.3.2 NEW EMPLOYEES

Prospective member driving records shall be evaluated to confirm that the applicant has a valid driver license and to review the type and number of traffic violations and collisions on the record.

At the time of hire, a new member whose duties require driving a vehicle while conducting district business shall be required to present a valid license.

#### 1138.3.3 CURRENT EMPLOYEES

Driving records of existing members shall be evaluated to confirm that the member has a valid driver license and to review any traffic violations and collisions.

Any member who drives a vehicle while conducting district business must immediately notify his/her supervisor of any suspension, revocation or other change in the status of the driver license. Any violation of this procedure may result in disciplinary action, up to and including termination.

Any member who does not possess a valid license shall not drive any vehicle while conducting district business.

If a member's driver license is suspended, revoked or becomes invalid, the District may, at its discretion, take any combination of the following actions:

- (a) Assign a member to duties which do not require driving, for up to 60 calendar days from the date of the DMV report, to allow the member an opportunity to seek the reinstatement of his/her driver license, provided:
  - 1. The member can still perform the majority of his/her job duties.
  - 2. There is minimal impact on the district work output.
- (b) Place a member on leave without pay for up to a maximum of six months from the date of the DMV report pending license reinstatement, or up to a maximum of four months if the member has already been assigned to non-driving duties for 60 calendar days.

Any member who is unable to obtain reinstatement of his/her driver license may be subject to disciplinary action, up to and including termination.



## Compensatory Time Off

### 1142.1 PURPOSE AND SCOPE

- (a) The purpose of this policy is to define guidelines for the accrual and use of Compensatory Time Off.

### 1142.2 PROCEDURE

- (a) Employees may elect to accrue and maintain a maximum 240 hours of CTO.
- (b) Administrative employees who meet the FLSA exemption from overtime criteria are not allowed to accrue CTO.
- (c) For record keeping purposes, CTO hours represent hours previously earned at 1.5T which have been converted to straight time.
- (d) Employees may utilize CTO to take time off from work for any reason, however, the Fire Chief or his/her designee shall have full discretion to establish guidelines and procedures for processing and authorizing employee request for utilization of CTO and may deny requests to utilize CTO if established guidelines are not met or followed.  
Such guidelines and procedures may included, but are not necessarily limited to:
  - 1. CTO request notification time frames: 21 days
  - 2. Established procedures for filling shift vacancies
  - 3. Availability of qualified relief
  - 4. Maintenance and affect on minimum staffing levels
  - 5. The absence of the employee does not cause a hardship on the District
- (e) Except upon termination of employment or retirement, cash payments for time accrued as CTO shall not be allowed.
- (f) Without District approval, accrued CTO time may not be transferred (donated) from one employee to another employee.

## Employee Benefits

### 1143.1 SICK LEAVE

- (a) Sick leave is provided to continue an employee's income and benefits during periods of illness or off-the-job injury.
- (b) Sick Leave will be provided to all employees paid on an hourly basis.
- (c) Employees must notify the Fire Chief or his designee when they will be absent from work due to illness or injury.
- (d) Requests for sick leave with pay must be supported by a physician's statement if the illness causes absence for more than 48 hours (one working shift) for 24-hour personnel.
- (e) Requests for sick leave with pay must be supported by a physician's statement if the illness causes absence for more than three (3) working days for 40/48 hour weekly personnel.
- (f) Unused sick leave may accrue without limitation.
- (g) Sick leave shall accrue on a hourly basis computed at a rate of 1 hour of sick leave per 24 hours of scheduled regular time worked. There will be no sick leave accrued for overtime.

### 1143.2 CALPERS

- (a) Employees working within a job position classified as Permanent, Full-Time shall be eligible for all benefits awarded to permanent employees beginning at date of hire.
- (b) As required by the District's current CALPERS contract, part time, seasonal, temporary, and extra hire employees who are paid for working 960 hours or more in a fiscal year are entitled to receive CALPERS benefits. Once an employee is enrolled in CALPERS, benefits will be provided for all hours subsequently worked. New employees will be enrolled in CALPERS if previously enrolled in CALPERS with another employer.
- (c) Payment of the Employer's share of CALPERS Retirement plan will be made pursuant to the District's current contract with CALPERS.

### 1143.3 MEDICAL BENEFITS

- (a) The Board of Directors authorizes the District to pay 100% of the premium cost for all Permanent, Full-Time, employees for the employee. This benefit will apply to the lowest priced plan available through the current medical, vision and dental benefit system(s). Employees desiring a higher priced plan will pay the difference through a payroll deduction. Medical benefits may include a medical plan, a vision plan, and a dental plan.
- (b) Employees desiring to purchase medical, vision, or dental plans for spouses or qualifying dependents may do so through payroll deduction.

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- (c) Permanent, Full-Time employees may opt for cash-in-lieu for Medical Insurance.
  - 1. Cash-in-lieu will be paid as an additional \$3.00 / hour added to the employees base rate.
  - 2. Employees wishing to opt for cash-in-lieu must provide proof of health insurance coverage.

#### **1143.4 PAID VACATION**

- (a) Each permanent full-time employee shall be entitled to paid vacation leave. No employee shall be entitled to utilize accrued vacation time until he/she has been in District service for at least 6 months.
- (b) The Board of Directors authorizes the Fire Chief the discretion to waive the required 12 months of service time for employees who have become permanent full-time and who have prior Service Time with the Fire District.
- (c) With sufficient notification and so long as it does not place a burden on District operations, personnel shall be allowed to take vacation time in any increments of time.
- (d) Requests for vacation shall be submitted to the Fire Chief at least 60 days in advance. Requests shall be approved by the Fire Chief with reasonable regard for the desires of the employee insofar as they are consistent with the needs of the District.
- (e) Requests for vacation submitted between January 1 and January 31 of each calendar year shall be honored by seniority.
- (f) Paid vacation time for 24-hour shift (56 hour workweek) personnel shall accrue as follows:
  - 1. 1-4 years of service:
    - (a) 96 hours per year
    - (b) 3.69 hours/payperiod
  - 2. 5-9 years of service:
    - (a) 144 hours per year
    - (b) 5.54 hours/payperiod
  - 3. 10-19 years of service:
    - (a) 192 hours per year
    - (b) 7.38 hours/payperiod
  - 4. 20+ years years of service:
    - (a) 216 hours per year
    - (b) 9.23 hours/payperiod
- (g) Paid vacation time for 40/48 hour workweek personnel shall accrue monthly at a rate equal to:
  - 1. 1-4 years of service:

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- (a) 80 hours per year
  - (b) 3.08 hours/payperiod
- 2. 5-9 years of service:
  - (a) 120 hours per year
  - (b) 4.62 hours/payperiod
- 3. 10-19 years of service:
  - (a) 160 hours per year
  - (b) 6.15 hours/payperiod
- 4. 20+ years years of service:
  - (a) 180 hours per year
  - (b) 7.69 hours/payperiod
- (h) Employees may not accrue more than two years of vacation time based upon their respective time in service.
- (i) Upon separation from service, retirement, or death, employees, and in the case of death the spouse of the employee, shall be paid for 100% of unused vacation time at the current hourly rate for their rank and step.
- (j) Cash payments for accrued vacation time, with the exception of separation from service, retirement or death, shall not be allowed.

### **1143.5 VOLUNTEER RECRUITMENT AND RETENTION COORDINATOR**

- (a) The Volunteer Recruitment and Retention Coordinator is a limited term, part time position eligible for all employee benefits at a 50% pro-rated schedule.

## Holidays

### 1144.1 ADMINISTRATIVE STAFF

- (a) This policy shall apply to all permanent/probationary full-time employees not assigned to a 24 hour tour-of-duty (Shift).
1. The following days shall be recognized and observed as paid holidays:
    - i. New Years Day
    - ii. Martin Luther King Day
    - iii. Presidents Day
    - iv. Memorial Day
    - v. Independence Day
    - vi. Labor Day
    - vii. Columbus Day
    - viii. Veterans Day
    - ix. Thanksgiving Day
    - x. Day After Thanksgiving
    - xi. Christmas Eve
    - xii. Christmas
    - xiii. New Years Eve.
  2. If a paid holiday falls on a workday during an employee's scheduled vacation period, that day shall be considered as a paid holiday and not vacation time.
  3. If the holiday falls on a Saturday, the holiday will be observed on the preceding Friday. If the holiday falls on a Sunday, the holiday will be observed on the following Monday.

### 1144.2 SHIFT PERSONNEL

- (a) Personnel assigned to a tour-of-duty (Shift) shall be allowed to work a 'weekend' schedule (limited assignments) in observance of the following designated holidays:
- (a) New Years Day
  - (b) Martin Luther King Day
  - (c) Presidents Day
  - (d) Memorial Day
  - (e) Independence Day
  - (f) Labor Day
  - (g) Columbus Day

*Holidays*

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- (h) Veterans Day

# Fire District Member / Volunteer Training and Equipment Credits

## 1145.1 PURPOSE & SCOPE

- (a) To recognize the efforts of the Fire District's members and volunteers and to allow members to attend training and to fairly assign equipment to enhance their job performance, the District will award Credits based upon On Duty Hours dedicated to the Fire District.
- (b) Credits will be calculated on a monthly basis. Credits will be based on the number and type of On Duty hours as recorded in the District's Emergency Reporting records management system as set forth in Illustration 1.
- (c) The Fire Chief (or designee) will maintain an accounting of Credits and will provide a monthly report which will be shared with District members.
- (d) All applications for the use of Credits must be submitted to the Fire Chief through the Credit Application Form on the Fire District's Dashboard.

## 1145.2 CREDITS

- (a) Credits will be allocated in two categories and can be used as follows:
  - 1. Training:
    - i. Training Credits can be used for Advanced Training.
    - ii. Volunteers will not be required to use Credits for Basic Training to meet the minimum position requirements or to attend training required by the Fire Chief.
    - iii. Advanced Training must be approved by the Fire Chief.
    - iv. Training expenses can include course tuition, fees, materials and travel.
      - 1. Travel: Members traveling outside of the District for Advanced Training may be allowed the use of a District vehicle, if available.
        - (a) Members using a District vehicle for travel to training may apply for a \$25.00 / day Meal and Incidentals Stipend using Credits.
        - (b) Members not using a District vehicle for travel to training may apply for a \$50.00 / day Mileage, Meal and Incidentals Stipend using Credits.
    - v. Training Credits cannot be used for Equipment.
  - 2. Equipment:
    - (a) Equipment Credits can be used to obtain job related equipment approved by the Fire Chief.

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### *Fire District Member / Volunteer Training and Equipment Credits*

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- (b) All members will be issued the Personal Protective Equipment and initial uniform ensemble based upon their classification.
- (c) Members will not be required to expend Credits for the issuance any required safety equipment.
- (d) Equipment will be purchased by the Fire District and assigned to the member.
  - 1. Specific Equipment
    - (a) T-Shirts - \$15.00
    - (b) Ball Caps - \$15.00
    - (c) Job Shirts - \$80.00
    - (d) Polo Shirt - \$30.00
    - (e) Helmet Shield - \$45.00
    - (f) Other - Other Equipment will be assessed Credits at actual cost.
    - (g) 'Used' Equipment - A member desiring to be assigned an item that the District currently has in Inventory will be assessed points at 50% of the original cost.
- (e) Equipment will remain the property of the Fire District.
- (f) The Fire Chief will have the discretion to allow a member who separates in good standing to retain equipment that cannot be reissued due to the expiration of its usable lifespan.
- (g) Members will not be required to expend Credits for maintenance of any required safety equipment that is damaged on the job and that is promptly reported when damaged.
- (h) Equipment Credits may be used for Training upon the request of the member.

#### **1145.3 MAXIMUM ACCUMULATION**

Members may not accumulate more 1200 Credits for Equipment. Any member reaching this cap will stop accumulating Credits until sufficient Credits are expended at which time credit allocations will resume. Training Credits have no accumulation cap.

#### **1145.4 ILLUSTRATION 1**

- (a) Career Personnel
  - 1. Suppression:
    - (a) 150 Training Points / month
    - (b) 60 Equipment Points / month



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## *Fire District Member / Volunteer Training and Equipment Credits*

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2. Administration
  - (a) 40 Equipment Points / month
  - (b) 40 Training Points / month
- (b) Volunteer and Part-Time Personnel
  1. On Duty, On Duty Resident, On Duty Volunteer/Station, Strike Team, and Cover hours:
    - (a) 1 Training credit / hour
    - (b) 1 Equipment credit / 4 hours
  2. On Duty Volunteer
    - (a) 1 Training credit / 4 hours
    - (b) 1 Equipment credit / 8 hours
  3. Stipend Positions: Positions receiving a set stipend will receive these points each month in addition to any hourly credits.
    - (a) 30 Equipment Points / month
    - (b) 75 Training Points / month

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## Disciplinary Action

### 1146.1 PURPOSE AND SCOPE

The District intends that written policies pertaining to causes for discipline such as written standards of professional conduct and rules pertaining to behavior, be interpreted broadly. Any behavior that is deemed unprofessional and unacceptable by the District or which might be deemed by the District as being unacceptable to most members of the public if held up to public scrutiny, may be cause for disciplinary action even though the behavior is not specifically addressed or prohibited within these policies.

### 1146.2 POLICY

This policy sets forth the causes of action for discipline for members of the CCFRPD and addresses the process for disciplinary actions for members of the CCFRPD who are regular full-time or part time paid employees.

### 1146.3 GENERAL CAUSES FOR DISCIPLINARY ACTIONS

- Absence Without Leave - Used for tardiness, for unapproved absence from the work area.
- Addiction to the use of narcotics or habit forming drugs - the word addition implies the continued use of drugs or the compulsion to use them.
- Moral Turpitude The phrase “involving moral turpitude” involves an element of baseness, dishonesty or inappropriate sexual misconduct that could cause other persons to hold the person in disrespect, Failure to report illegal or dishonest acts.
- Discourteous Treatment of the Public or Other Employees/Members - Used to support actions against employees/members who are rude, abusive, argumentative, or take violent or aggressive actions against their supervisors, fellow employees/members or the public or who fail to give the public proper service.
- Dishonesty - Used for any false information on a sick leave request, expense account, or other official document and for misappropriation of theft of District property or funds.
- Excessive Absenteeism - Applies to situations where members exceed their annual sick leave allotment or who use more sick leave than they have accrued.
- Fraud in Securing Appointment/Advancement - Used when employee/member falsify information about their education, experience, or health in order to qualify for a position.
  - This is used to cover cheating in examinations or otherwise using illegal help to obtain employment or advancement.
- Improper Political Activity (and other incompatible activities) - Used to support actions against employees/members who violate District policy on political activity.
- Incompetence - Used when the member cannot, in the opinion of his/her supervisor, satisfactorily perform the work required of the position.

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### *Disciplinary Action*

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- Inefficiency - Used in the case of the member who appears to have the necessary ability, but for some reason does not perform in a satisfactory manner or does not see that the work is done.
- Inexcusable Neglect Of Duty - Used when a member fails to follow well-known and accepted procedures for the work, is careless, and/or fails to do the work properly or safely. Fails to maintain conditions of employment and use of tobacco (includes smokeless tobacco).
- Insubordination - Used when a member has shown outspoken or mutinous attitude toward those in charge or has shown disrespect towards, or a flaunting disregard of the authority of a supervisor or an employee/member of equal rank who is senior in time served at that rank.
- Intemperance - Used in cases of continued or excessive drinking or use of drugs. It also applies to angry outbursts, violent/aggressive actions, or other acts showing lack of moderation.
- Misuse of District Property - Applies to any case where a member uses, takes, allows or causes District equipment, property or vehicles to be used without authorization, damages or loses it through lack of care, or demonstrates lack of good judgment in it's use.
- Other Failure of Good Behavior - Used for actions that during or outside of duty hours, of such a nature that is causes discredit to the member's agency or employment.
- Under the Influence On-Site or Off-Site While on Duty - Used when the member is under the influence of a narcotic, alcohol, illegal drug or compound or found to be in possession of these substances orrelated paraphernalia.
- This is also used if the employee/member is deemed not fit for duty following ingestion of any prescription or over the counter drugs or other compounds or substances that might impair his/her ability to perform the duties related to his/her position and/or could impair the safety of fellow employees/members or members of the public.
- Stealing - (Whether the conviction is petty theft or grand theft), embezzlement, sexual crimes, use and possession of narcotics and drugs, etc., would involve moral turpitude.
- Willful Disobedience/Violation of Rules - Any intentional violation of instructions, orders, district rules and/or regulations, professional standards of behavior.

#### **1146.4 OFFENSES AND CORRESPONDING CORRECTIVE ACTIONS**

Once a supervisor decides that there are adequate and verifiable facts to support corrective action, the supervisor must determine the "appropriate" action to impose. Offenses are the undesirable acts or omission, in behavior or performance, on the part of the member, for which the person receives corrective action. Various offenses and the suggested corrective actions are listed as an aid toward achieving uniformity. It is impossible to develop any formula that will determine the proper action in every situation. Each case must be considered, decided and based on the circumstances including cumulative action that lead to patterns of misconduct or poor performance.

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### *Disciplinary Action*

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This section is only a guide and should be used as a general reference. Specific circumstances of a case may deem it appropriate to take action of a greater degree or lesser degree than is indicated. The following disciplinary measures, listed in severity, may be imposed, either stand alone (single action) or in combination, upon paid employees of the District:

- (a) Training and Performance Improvement Plan
- (b) Extension of Probation
- (c) Denial of Merit Step Increase
- (d) Counseling
- (e) Oral Reprimand/Performance Notice
- (f) Written Reprimand
- (g) Administrative Leave With Pay
- (h) Suspension/Reduction in Salary
- (i) Demotion
- (j) Dismissal

#### **1146.5 DISCIPLINE PROCESS FOR PAID EMPLOYEES**

The tenure of every regularly paid District employee, shall be based on reasonable standards of job performance and personal conduct while on-duty and in some instances off-duty behavior when such off-duty behavior is deemed unprofessional and could cause discredit to the District. Failure to meet such standards shall be grounds for appropriate disciplinary action which shall be commensurate with the seriousness of the offense and with consideration of the employee's prior performance record as documented within performance reports and/or supervisor's logs.

The purpose of this policy is to establish an effective and fair system of discipline for all regularly paid District personnel. The District's overall approach and objective pertaining to discipline is based upon the premise that all people are not the same, each having different strengths, skills and abilities that contribute to organizational success and that when given opportunity, guidance and fair treatment, can overcome weakness and become valued members or employees.

These policies are to set forth general supervisory guidelines for a corrective action process aimed to allow members and employees to succeed in their desire to serve the public as an employee with the Central Calaveras Fire Protection District.

This process outlines the procedures to be taken for documenting and correcting unacceptable employee/member behavior and to reinforce the need for a productive, loyal and cooperative workforce. The District seeks to establish and maintain standards of employee/member conduct and supervisory practices which will, in the interest of the District and its members/employees, support and promote effective District operations. Such supervisory practices include administering corrective action when employee/member conduct or performance problems arise.

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### *Disciplinary Action*

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The violation of any of the provisions of policies, rules, regulations, applicable state law or local ordinance of the orders of officers of the Central Calaveras Fire Protection District, or the neglect or evasion of the duties prescribed herein, or behaving in a way that is contrary to the professional standards normally expected for a member's rank or position, shall be the cause for disciplinary action as provided in this policy. The interests of the District and service to the citizens shall be paramount in consideration of imposing disciplinary action.

#### 1146.5.1 MANAGING EMPLOYEE/MEMBER PERFORMANCE AND BEHAVIOR

Every officer, or acting officer, is responsible for the maintenance of the discipline and proper conduct of the persons under his/her supervision or command. Each officer or acting officer shall carry out the disciplinary procedures specified herein, as necessary, with respect to persons under his/her command.

All employees/members shall report any act of fraud, theft, dishonesty or moral turpitude to the Fire Chief or his/her designee.

Disciplinary actions may range from simple informal conversation with a member/employee to a formal discharge action in the most serious cases. The actions identified within these policies reflect a logical progression from the least serious to the most serious. Any disciplinary action, informal or formal, or any actions taken to improve performance must be documented. Documentation must include statements which describe what factual basis the action was taken on.

While supervisors are encouraged to use this progressive approach to discipline in most cases, serious infractions of disciplinary standards call for an appropriate response. Training and Performance Improvement Plans, counseling, warnings and reprimands etc., may be bypassed if the member's/employee's actions justify a more severe response.

Formal disciplinary action may also be appropriate for a series of lesser problems in which prescriptive training and informal discipline have not been effective.

#### 1146.5.2 NON-MALICIOUS DEVIATIONS FROM PERFORMANCE EXPECTATIONS

There are times when a member may intentionally take a risk which results in damage to District assets or a violation of District policy or Standard Operating Procedures in the course of mitigating an emergency, or may unintentionally violate District rules and regulations or Standard Operating Procedures in the course of their everyday work. Intentional deviations that involve calculated risks taken in order to save a life or protect property should not be confused with malicious acts that end with similar results.

Unintentional human error can often be attributed to a lack of recent training, the urgency of the situation, unfamiliarity with a task, low frequency events or simply a momentary lack of good judgment. In cases where members simply make an unintentional mistake, we must focus attention on correcting the system failure to prevent future similar events rather than punishing the member.

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This is not to say that a member will not be required to complete a documented Training and Performance Improvement Plan or that if the member has a recent history of deviating from organizational standards, even though unintentional, the appropriate method to manage their performance may be corrective action.

#### 1146.5.3 MALICIOUS PURPOSEFUL DEVIATIONS FROM BEHAVIOR AND PERFORMANCE EXPECTATIONS

Malicious acts are those that are conducted with the intent or have the potential to harm members of the organization or the public, damage District assets, has the potential to create negative public perceptions of the District, or knowingly violate District policy or philosophy. In these cases corrective action is generally the most effective and accepted method used to manage a member's performance and behavior, refocus their attention and to clearly assign responsibility for the act or acts.

By delegation from the Fire Chief or his/her designee, Fire Captains may investigate, determine, prepare, serve and sign:

- Training and Improvement Plans
- Informal Discipline

Delegation includes the responsibility to prepare all written material, ensure that there is proper documentation and ensure the action is consistent with District practices and is legal. It is understood that persons responsible for taking these actions are held accountable for all rules, procedures and administrative processes as provided within these policies.

The District commits to its members to keep disciplinary actions confidential. Confidential does not mean others will never find out about the incident, but only that investigators, supervisors and official representatives of the District will not be the ones who originally disclose information about it.

With the existing requirements of the Freedom of Information Act and the high-profile coverage that a member's misconduct could generate, it may be impossible to keep the entire matter secret. Captains and Chief Officers should inform their immediate supervisor of any performance or behavior issues with their subordinate that may require a Training and Performance Improvement Plan (TPIP) or discipline. In these cases it is the Captain's or Chief Officers responsibility to recognize the deviation, investigate and document the facts, and bring them to the attention of their immediate supervisor who will consult and determine a course of action or level of discipline. Following consultation with the Fire Chief, Fire Captains may prepare, administer and sign:

- Training and Performance Improvement Plans that include extended probations and/or ineligibility for merit step increases.
- Performance Notices/Letters of Direction
- Official Written Reprimands

## *Disciplinary Action*

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### 1146.5.4 FORMAL DISCIPLINE

The Fire Chief or his/her designee is responsible for the administration of all formal discipline involving:

- (a) Harassment/Intimidation/Threats of Violence/Drug Use
- (b) Discrimination
- (c) Reduction of pay/salary
- (d) Suspension without pay
- (e) Demotions
- (f) Dismissals - Dismissals must have the approval of the Fire Chief

### 1146.5.5 EVALUATION AND REPRESENTATION

Evaluations are a key component in the documentation process. Under the established guidelines of the District's Evaluation Policy, and as part of a Training Improvement Plan, evaluations may be issued any time to document poor performance that may result in disciplinary action that includes, but is not necessarily limited to, extending probation and/or denial of a merit step increase.

**Employee Representation** - Employees are entitled to representation, upon request, when they reasonably believe that an interrogation might result in formal disciplinary action or when formal disciplinary actions are taken. Employees should be advised of this right to representation.

**Legal Representation** - Supervisors may allow legal representation for the employee in formal disciplinary actions resulting from alleged criminal activity. Employee's legal counsel's function is to advise the employee, not answer for him/her.

Nothing herein is to be construed that prescriptive and/or informal disciplinary actions must proceed formal disciplinary actions or that lesser formal disciplinary actions must proceed more severe formal disciplinary actions as part of the disciplinary process.

### **1146.6 DISCIPLINARY PROCEDURES**

Investigations into alleged employee misconduct can be initiated at any level in the chain of command.

Whenever an employee believes that misconduct or a violation of the rules has occurred, he/she shall submit a memorandum directly to the employee's supervisor

In the case where an employee believes that misconduct by a supervisor may have occurred, he/she shall report the incident to the Fire Chief or his/her designee.

Whenever a supervisor becomes aware that an employee may have violated any of the general or specific rules of behavior or conduct that may warrant disciplinary action, the supervisor shall document what he/she knows about the event and report the event to the Fire Chief or his/her designee.

Following notification of alleged misconduct and/or violation of rules the Fire Chief or his/her designee will discuss the alleged charges and determine an appropriate course of action and if necessary, cause an investigation to be conducted.

Investigations and initiation of disciplinary actions involving minor cases of misconduct or violations of rules that will likely be handled informally may be assigned to the supervisor of the shift

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where the alleged misconduct/rule violation occurred. More serious offenses shall be investigated by the Fire Chief or his/her designee.

### **1146.7 INVESTIGATION AND DOCUMENTATION OF INCIDENT OR EVENT**

An investigation related to alleged misconduct or violation of the Rules of Conduct is nothing more than the necessary fact finding required to adequately determine what really happened. Where the charges against an employee are serious it is often necessary to conduct interviews with various people who may have information about what happened. Investigations will be conducted discretely so as not to cast aspersions on the employee or the reporting party/complainant

Upon knowledge of a complaint or wrong doing, District supervisors and/or management are obligated to thoroughly investigate the matter. Thorough and complete documentation of the investigation and related facts is paramount to a fair and objective investigation.

Investigations will be conducted discreetly so as not to cast aspersions on complainants. There is no tolerance for retaliation, discrimination, or other related actions as a result of a complaint.

The level of investigation will be determined by the following factors:

- (a) Type of allegation
- (b) Fairness and impartiality of staff investigation
- (c) Potential for conflict if allegation is against the fire chief or other chief officer
- (d) Need for outside/impartial investigation
- (e) Legal or criminal implications
- (f) Exposure/risk to District

Based upon the above criteria, the investigator maybe one, or a team made up of one or more, of the following:

- (a) Captain/Acting Captain
- (b) Chief Officer
- (c) Private investigator
- (d) District's worker's compensation carrier
- (e) District's liability insurance carrier
- (f) District's legal counsel
- (g) Law enforcement

Investigative techniques/methods may be, but not necessarily limited to, one of, or a combination of, the following:

- (a) Letter of Explanation. Fact finding method sometimes utilized to gather preliminary information. A Letter of Explanation is a letter sent by the supervisor asking that the subject or witnesses provide written information regarding the event.
- (b) Personal Interview(s) conducted by the investigator



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- (c) Review of documents, personnel records, tape recordings, transcripts of recordings.

Interviews may be tape recorded as evidence at the discretion of the investigator. The investigator/ investigative team be objective, fair and consider multiple points of view.

Supervisors conducting the initial fact finding and/or interviews shall prepare a written report which should include the following:

- (a) Date, time and location of the alleged incident
- (b) Specifically what was seen or heard
- (c) Names of other employees who may have seen or be familiar with the event
- (d) Discussion, if any, with the employee and his/her response

In all disciplinary actions other than those which can be initiated and signed by the employees immediate supervisor, the supervisor shall report their findings and a recommendation for disciplinary action to the Fire Chief or his/her designee.

Interviews (Interrogations) and Representation:

- (a) When a firefighter is under investigation and needs to be interviewed about an event that might lead to formal disciplinary action, the interview/interrogation shall be conducted at a reasonable hour, preferably on duty or during normal waking hours, unless the seriousness of the investigation requires otherwise.
- (b) The interrogation/interview of a firefighter under investigation does not necessarily have to be pre-scheduled however the firefighter shall be informed prior to the actual commencement of interrogation of the nature of the investigation. The firefighter, at his her request, shall have the right to have a representative of his/her choice present at all times during the interrogation.
- (c) Any employee/member being interviewed shall cooperate and answer all questions fully and truthfully. Failure to do so shall be cause for disciplinary action.
- (d) The complete interrogation of a firefighter may be tape recorded. If a tape recording is made, the firefighter shall have access to the tape or provided a copy of the tape upon request.

#### **1146.8 PRESCRIPTIVE, CORRECTIVE AND DISCIPLINARY ACTIONS**

It is always desirous to resolve performance or behavior problems at the lowest level of intervention. The District does however, retain the right to impose whatever level of discipline appropriate for gross misconduct or a single performance issue deemed serious enough to warrant formal action as a first step, or for a series of unrelated performance or behavior issues that show a pattern of overall poor performance or behavior problems.

Administrative Leave - Relief From Duty with Pay:

- (a) Any employee may be relieved from duty with pay pending an investigation of his or her acts or failure to act, which may me grounds for disciplinary action.

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- (b) Administrative leave pending an investigation shall not be considered punitive in nature and is to be used only while an investigation is in progress.
- (c) The employee shall be considered being on a leave of absence with pay for purposes of pay, benefits and service time.

#### Prescriptive Training/Training Improvement Plans:

- (a) Prescriptive training may be an acceptable and appropriate alternative to informal or formal discipline or may be used in addition to informal or formal disciplinary actions.
- (b) If the employee/member's performance has not improved sufficiently within the stipulated time frame or if similar incidents occur, the situation should be dealt with as a disciplinary problem.
- (c) Prescriptive Training/Training Improvement Plans shall follow established guidelines.

#### Informal Disciplinary Actions:

Informal Disciplinary actions are those that do not become a permanent part of the employee's personnel file. Informal disciplinary actions are recorded in the supervisors anecdotal file. Informal Disciplinary Actions include:

- (a) Counseling
  - 1. Counseling is when an employee/member is made aware of his/her violation verbally by his/her supervisor and is usually the first action taken to assist the employee/member in clarifying and remedying the problem. A record of the counseling should be maintained by the supervisor to assure that multiple such incidents are accounted for.
- (b) Oral Reprimand/Admonishment
  - 1. Oral reprimands are utilized when it is necessary to verbally notify the member that his/her performance or behavior must be improved or when an employee/member's conduct warrants a more substantial initial step. The reprimand defines areas in which improvement is required or which policies/rules have been violated and informs the employee/member that failure to improve will result in more serious action. Oral reprimands/admonishments should be documented and placed in the supervisors file on a permanent basis.
- (c) Performance Notices
  - 1. Performance Notices and/or Letters of Direction are placed in an employees personnel file for 90 days and are utilized to record/document violations of District policy, SOPs, performance issues and/or misconduct.
- (d) Denial Of Merit Step Raise
  - 1. Merit step raises are granted upon receiving a satisfactory evaluation of performance for the preceding year. Denial of a Merit Step Raise can be used in combination with formal evaluations and in lieu of formal disciplinary actions to address ongoing issues of performance in cases where an employee's continued service on the job is valuable and performance issues can be more

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readily be addressed by the employee staying on the job performing the duties of his/her position/rank.

2. Merit step raises may be denied for failure to improve unsatisfactory performance in one or more specific areas of an employees evaluation. In other words, even though an employee may receive an overall satisfactory rating on a performance evaluation, if there are serious performance issues in a specific area of that evaluation that have not been improved as directed, the next merit step raise may be denied.
3. Employees have no vested property rights to Merit Step Raises and therefore denial of a Merit Step raise is not subject to due process or appeal. A merit step raise may be denied for a designated period of time less than, but not more than, one year.
4. Denial of a Merit Step Increase must be used in conjunction with a Training and Performance Improvement Plan with specific goals and objectives that must be successfully completed during the prescribed time period.
5. Upon successful completion of the Training and Performance Improvement Plan, the employee will be placed on the salary step he/she would have been if the action was not taken. The employee must serve at that step one year before becoming eligible for the next merit step increase

#### (e) Formal Disciplinary Actions

1. All formal disciplinary actions become a permanent part of the member's personnel file. Formal forms of discipline shall be considered as previous offenses when considering subsequent violations. Members have the right to representation for the following Formal Disciplinary Actions and the right to a "Skelly Pre-Action Procedure" (Skelly or Pre-Disciplinary Hearing) for:

#### (f) Reduction in Pay/Salary

1. Suspension without pay
2. Demotion
3. Dismissal

#### (g) Official Written Reprimand

1. An Official Written Reprimand is a formal notice to a member that further disciplinary actions will be taken unless his/her behavior or performance improves.
2. Written reprimands do not require "due process" (Skelly Pre-Action Procedure) and are not appealable.
3. The original copy of the written reprimand must be placed in the member's permanent file and becomes a permanent part of that file.
4. Members are not required to sign a copy of the Written Reprimand however, they are provided an opportunity to comment.

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5. If a member refuses to sign the Written Reprimand, the supervisor should note the refusal on the document.
  6. Refusal to sign is not grounds for separate disciplinary action.
- (h) A Written Reprimand should contain the following:
1. What occurred and the date and approximate time of the event
  2. Any specific rule, regulation, SOP that may have been violated
  3. Description of inappropriate behavior
  4. Any supporting documentation
  5. What the member is directed to do to correct the situation
- (i) Suspension Without Pay
1. The employee is removed from his/her duties without pay for a specified number of days. Suspensions are normally used in cases involving chronic misconduct or behavioral problems or an incident of gross misconduct for which there seems to be no other appropriate response.
  2. When a member is suspended from employment without pay, the member is entitled to a Skelly Pre-Action Hearing.
  3. Members have the right to appeal suspensions in excess of four (4)- 24 hour shifts or Ten (10) eight-hour working days. Suspensions of 4 shifts or less are not appealable.
  4. All suspension days shall run consecutively and shall not include any scheduled days off.
- (j) Salary Reduction
1. Salary reduction is when an employee's salary is permanently reduced from one step to a lower step.
  2. A salary reduction can be permanent or for a specified period of time.
  3. When an employee's salary is reduced he/she is entitled to a Skelly Pre-Action Hearing.
  4. An employee has the right to appeal disciplinary actions involving a reduction in salary.
- (k) Demotion
1. Demotion is the reduction of an employee from a position in one rank/class to a position in another rank/class having a lower salary rate.
  2. A demotion can be one or more steps down
  3. If an employee is demoted one rank, he/she shall be placed on a salary step within that rank which provides an appropriate reduction in salary based upon the nature of the misconduct.

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4. If an employee is demoted two ranks, he/she will be placed on a salary step within that rank which provides an appropriate reduction in salary based upon the nature of the misconduct.
5. A demotion can be permanent or for a specified period of time after which he/she will become eligible to test for future promotional lists.
6. Depending upon the nature of misconduct or performance issues which precipitated the demotion, an employee demoted from a higher rank to a lower rank may be deemed not qualified or competent to fill shift vacancies in the higher rank (working relief for vacation/sick/CTO etc.), or may be allowed to fill vacancies at a higher rank only after a set period of time and/or under a prescribed set of circumstances.
7. When an employee is demoted the employee is entitled to a Skelly Pre-Action Hearing and has the right to appeal.

#### 1146.8.1 DISMISSAL / TERMINATION FROM SERVICE (NON-PROBATIONARY PERSONNEL)

- (a) Used for a serious infraction, continued failures in work performance, and/or continuing offenses that can no longer be tolerated.
- (b) Dismissals may only be instituted after consultation and approval of the Fire Chief.
- (c) When an employee is dismissed/terminated, he/she is entitled to a Skelly Pre-Action Hearing and has the right to appeal.
- (d) The Fire Chief or his/her designee may allow the employee to resign in lieu of dismissal if he/she believes a resignation may be in the best interests of the district and/or the employee.

#### 1146.8.2 RESIGNATION IN LIEU OF DISCIPLINARY ACTION

- (a) Prior to service of a disciplinary action, a member may announce intent to resign or ask to resign. It is a members right to resign under any circumstances and he/she cannot be prevented from doing so.
- (b) The resignation must be entirely voluntary.
- (c) A supervisor must never bring up the subject of the possibility of resignation nor suggest it to the employee before service of the disciplinary action.
- (d) After service of a disciplinary action for dismissal, the employee can be given 24 hours to consider resignation in lieu of termination so the member cannot claim that the decision was made under duress.
- (e) If the employee decides to resign he/she should do so via a letter to the Fire Chief or his/her designee.
- (f) By resigning the employee loses the right to appeal his/her termination.
- (g) Inquiries from future employers regarding the reasons for leaving will be answered, in accordance with the law and in most cases, by the simple statement that the member

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resigned, his/her rank, his/her time in service with the District and his/her salary at the time of resignation.

- (h) As allowed by law, other information may be shared if the reason for resignation was based upon known factual information about drug or alcohol use, dishonesty, theft, or moral turpitude.

### **1146.8.3 FAILURE TO MEET CONDITIONS OF EMPLOYMENT**

Whenever a permanent employee fails to meet Conditions of Employment such as maintaining required licensee, a credential, failure to take mandated training classes, etc., which is required by the District, they may be dismissed/terminated.

Employees being disciplined and/or terminated for Failure To Meet Conditions of Employment have a right to due process (Skelly Hearing) and the right to appeal.

### **1146.9 DUE PROCESS**

Following the successful completion of probationary status, members of the District may only be dismissed or otherwise significantly disciplined for “good cause.” The courts have established that employees having “for cause rights” are entitled to “due process” procedures before a **significant** disciplinary action is implemented. This process is referred to as the “Skelly Pre-Action Procedure or Pre-Disciplinary Hearing.

Discharges, demotions (except from a probationary status position), reductions in pay (except as the result of a demotion from a probationary status position), or suspensions require due process.

Due process may also include the right to appeal a disciplinary action. The Board of Directors shall act as the Appeals Board. The members appeal rights are further spelled out within these policies.

Typically actions such as Training and Performance Improvement Plans, Performance Notices, extension of probationary periods, written reprimands and denial of a merit step increase do not require due process.

Unless specifically addressed and excluded by a written contract between the District and the employee, members holding Administrative Positions such as the Fire Chief, Assistant Chiefs, Deputy Chiefs, shall be entitled to the same progressive discipline from the Board of Directors as is available to other District members/employees. Appeals of disciplinary actions initiated by the Board against the Fire Chief shall be handled through third party arbitration.

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### **1146.10 SKELLY PRE-ACTION PROCEDURES (SKELLY OR PRE-DISCIPLINARY ACTION HEARING)**

The employee shall be given a preliminary written notice of the proposed disciplinary action stating the date it is intended to become effective and the grounds and particular facts upon which the proposed action is based.

The employee should be provided with any known written materials, reports, or documents upon which the action is based.

If the employee desires to have a pre-disciplinary (Skelly) hearing, he/she shall submit a request either orally, in writing, or both within 5 workdays. If requested in writing, the employee may be allowed an extension of time if justifiable.

The employee has the right to be accompanied or represented by an individual of the employee's choice such as a Union Representative and/or legal counsel as long as the person is not associated with the investigation of the disciplinary action.

Failure to respond within the specified time period may result in the member's waiver of his/her procedural rights.

Within 10 days following the completion of the Pre Disciplinary Hearing, the member shall be informed, in writing, of the decision to either rescind, modify or uphold the proposed disciplinary action.

### **1146.11 DISCIPLINARY ACTIONS WHICH ARE APPEALABLE**

The following actions are appealable to the Board of Directors:

- (a) Suspension in excess of four shift days (96 hours) or 10 working days (80) hours
- (b) Reduction in pay
- (c) Demotion of a member not in a probationary status
- (d) Discharge

#### **1146.11.1 APPEAL PROCEDURES**

The member may within 14 days of receiving the final notice of disciplinary action appeal the ruling to the Board of Directors. The member is entitled to only one hearing and nothing within these policies is intended to create two appellate procedures, i.e., one through the disciplinary appeal process and one through the grievance process.

Any member/employee who appears before the Board to appeal a disciplinary action may choose to do so within the context of a closed hearing or an open hearing.

Any member/employee shall have the right to representation during the hearing and to answer to, respond to, and defend him/herself against all charges.

The scope of a Disciplinary Hearing shall be limited to:

- (a) A determination by the Board that the disciplinary process was correctly followed;
- (b) After presentation of evidence by both sides, a determination by the Board as to whether the offense did or did not occur as charged.

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- (c) A determination by the Board that the imposed disciplinary action was appropriate for the offense.
- (d) A determination by the Board to uphold, reduce or overturn the disciplinary action.



## Volunteer Discipline

### 1147.1 PURPOSE AND SCOPE

The District intends that written policies pertaining to causes for discipline such as written standards of professional conduct and rules pertaining to behavior, be interpreted broadly. Any behavior that is deemed unprofessional and unacceptable by the District or which might be deemed by the District as being unacceptable to most members of the public if held up to public scrutiny, may be cause for disciplinary action even though the behavior is not specifically addressed or prohibited within these policies.

### 1147.2 POLICY

This policy sets forth the causes of action for discipline for members of the CCFRPD and addresses the process for disciplinary actions for members of the CCFRPD who are volunteer, extra-hire, or limited term members or employees.

### 1147.3 DISCIPLINE PROCESS FOR VOLUNTEER MEMBERS

The tenure of every volunteer employee shall be based on reasonable standards of job performance and personal conduct while on-duty and in some instances off-duty behavior when such off-duty behavior is deemed unprofessional and could cause discredit to the District. Failure to meet such standards shall be grounds for appropriate disciplinary action which shall be commensurate with the seriousness of the offense and with consideration of the employee's prior performance record as documented within performance reports and/or supervisor's logs.

The purpose of this policy is to establish an effective and fair system of discipline for all volunteer District personnel. The District's overall approach and objective pertaining to discipline is based upon the premise that all people are not the same, each having different strengths, skills and abilities that contribute to organizational success and that when given opportunity, guidance and fair treatment, can overcome weakness and become valued members or employees.

These policies are to set forth general supervisory guidelines for a corrective action process aimed to allow members and employees to succeed in their desire to serve the public as an volunteer employee with the Central Calaveras Fire Protection District.

This process outlines the procedures to be taken for documenting and correcting unacceptable employee/member behavior and to reinforce the need for a productive, loyal and cooperative workforce. The District seeks to establish and maintain standards of employee/member conduct and supervisory practices which will, in the interest of the District and its members/employees, support and promote effective District operations. Such supervisory practices include administering corrective action when employee/member conduct or performance problems arise. The violation of any of the provisions of policies, rules, regulations, applicable state law or local ordinance of the orders of officers of the Central Calaveras Fire Protection District, or the neglect or evasion of the duties prescribed herein, or behaving in a way that is contrary to the professional standards normally expected for a member's rank or position, shall be the cause for disciplinary

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action as provided in this policy. The interests of the District and service to the citizens shall be paramount in consideration of imposing disciplinary action.

#### 1147.3.1 MANAGING VOLUNTEER MEMBER PERFORMANCE AND BEHAVIOR

Every officer, or acting officer, is responsible for the maintenance of the discipline and proper conduct of the persons under his/her supervision or command. Each officer or acting officer shall carry out the disciplinary procedures specified herein, as necessary, with respect to persons under his/her command.

All employees/members shall report any act of fraud, theft, dishonesty or moral turpitude to the Fire Chief or his/her designee.

Disciplinary actions may range from simple informal conversation with a member/employee to a formal discharge action in the most serious cases. The actions identified within these policies reflect a logical progression from the least serious to the most serious. Any disciplinary action, informal or formal, or any actions taken to improve performance must be documented. Documentation must include statements which describe what factual basis the action was taken on.

While supervisors are encouraged to use this progressive approach to discipline in most cases, serious infractions of disciplinary standards call for an appropriate response. Training and Performance Improvement Plans, counseling, warnings and reprimands etc., may be bypassed if the member's/employee's actions justify a more severe response.

Formal disciplinary action may also be appropriate for a series of lesser problems in which prescriptive training and informal discipline have not been effective.

#### 1147.3.2 NON-MALICIOUS DEVIATIONS FROM PERFORMANCE EXPECTATIONS

There are times when a member may intentionally take a risk which results in damage to District assets or a violation of District policy or Standard Operating Procedures in the course of mitigating an emergency, or may unintentionally violate District rules and regulations or Standard Operating Procedures in the course of their everyday work. Intentional deviations that involve calculated risks taken in order to save a life or protect property should not be confused with malicious acts that end with similar results.

Unintentional human error can often be attributed to a lack of recent training, the urgency of the situation, unfamiliarity with a task, low frequency events or simply a momentary lack of good judgment. In cases where members simply make an unintentional mistake, we must focus attention on correcting the system failure to prevent future similar events rather than punishing the member.

This is not to say that a member will not be required to complete a documented Training and Performance Improvement Plan or that if the member has a recent history of deviating from organizational standards, even though unintentional, the appropriate method to manage their performance may be corrective action.

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#### 1147.3.3 MALICIOUS PURPOSEFUL DEVIATIONS FROM BEHAVIOR AND PERFORMANCE EXPECTATIONS

Malicious acts are those that are conducted with the intent or have the potential to harm members of the organization or the public, damage District assets, has the potential to create negative public perceptions of the District, or knowingly violate District policy or philosophy. In these cases corrective action is generally the most effective and accepted method used to manage a member's performance and behavior, refocus their attention and to clearly assign responsibility for the act or acts.

By delegation from the Fire Chief or his/her designee, Fire Captains may investigate, determine, prepare, serve and sign:

- Training and Improvement Plans
- Informal Discipline

Delegation includes the responsibility to prepare all written material, ensure that there is proper documentation and ensure the action is consistent with District practices and is legal. It is understood that persons responsible for taking these actions are held accountable for all rules, procedures and administrative processes as provided within these policies.

The District commits to its members to keep disciplinary actions confidential. Confidential does not mean others will never find out about the incident, but only that investigators, supervisors and official representatives of the District will not be the ones who originally disclose information about it.

With the existing requirements of the Freedom of Information Act and the high-profile coverage that a member's misconduct could generate, it may be impossible to keep the entire matter secret. Captains and Chief Officers should inform their immediate supervisor of any performance or behavior issues with their subordinate that may require a Training and Performance Improvement Plan (TPIP) or discipline. In these cases it is the Captain's or Chief Officers responsibility to recognize the deviation, investigate and document the facts, and bring them to the attention of their immediate supervisor who will consult and determine a course of action or level of discipline.

Following consultation with the Fire Chief, Fire Captains may prepare, administer and sign:

- Training and Performance Improvement Plans that include extended probations and/or ineligibility for merit step increases.
- Performance Notices/Letters of Direction
- Official Written Reprimands

#### 1147.3.4 FORMAL DISCIPLINE

The Fire Chief or his/her designee is responsible for the administration of all formal discipline involving:

- (a) Harassment/Intimidation/Threats of Violence/Drug Use
- (b) Discrimination

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- (c) Suspension from duty
- (d) Demotions
- (e) Dismissals. Dismissals must have the approval of the Fire Chief.

### **1147.3.5 EVALUATION AND REPRESENTATION**

Evaluations are a key component in the documentation process. Under the established guidelines of the District's Evaluation Policy, and as part of a Training Improvement Plan, evaluations may be issued any time to document poor performance that may result in disciplinary action that includes, but is not necessarily limited to, extending probation and/or denial of a merit step increase.

Volunteer Representation - Volunteers are not entitled to representation.

Legal Representation - Supervisors may allow legal representation for the volunteer, retained at the volunteers expense in formal disciplinary actions. Employee's legal counsel's function is to advise the employee, not answer for him/her.

Nothing herein is to be construed that prescriptive and/or informal disciplinary actions must proceed formal disciplinary actions or that lesser formal disciplinary actions must proceed more severe formal disciplinary actions as part of the disciplinary process.

### **1147.4 DISCIPLINARY PROCEDURES**

Investigations into alleged employee misconduct can be initiated at any level in the chain of command.

Whenever an employee believes that misconduct or a violation of the rules has occurred, he/she shall submit a memorandum directly to the employee's supervisor

In the case where an employee believes that misconduct by a supervisor may have occurred, he/she shall report the incident to the Fire Chief or his/her designee.

Whenever a supervisor becomes aware that an employee may have violated any of the general or specific rules of behavior or conduct that may warrant disciplinary action, the supervisor shall document what he/she knows about the event and report the event to the Fire Chief or his/her designee.

Following notification of alleged misconduct and/or violation of rules the Fire Chief or his/her designee will discuss the alleged charges and determine an appropriate course of action and if necessary, cause an investigation to be conducted.

Investigations and initiation of disciplinary actions involving minor cases of misconduct or violations of rules that will likely be handled informally may be assigned to the supervisor of the shift where the alleged misconduct/rule violation occurred. More serious offenses shall be investigated by the Fire Chief or his/her designee.

### **1147.5 INVESTIGATION AND DOCUMENTATION OF INCIDENT OR EVENT**

An investigation related to alleged misconduct or violation of the Rules of Conduct is nothing more than the necessary fact finding required to adequately determine what really happened. Where the charges against an employee are serious it is often necessary to conduct interviews with various people who may have information about what happened. Investigations will be conducted discretely so as not to cast aspersions on the employee or the reporting party/complainant

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Upon knowledge of a complaint or wrongdoing, District supervisors and/or management are obligated to thoroughly investigate the matter. Thorough and complete documentation of the investigation and related facts is paramount to a fair and objective investigation.

Investigations will be conducted discreetly so as not to cast aspersions on complainants. There is no tolerance for retaliation, discrimination, or other related actions as a result of a complaint.

The level of investigation will be determined by the following factors:

- (a) Type of allegation
- (b) Fairness and impartiality of staff investigation
- (c) Potential for conflict if allegation is against the fire chief or other chief officer
- (d) Need for outside/impartial investigation
- (e) Legal or criminal implications
- (f) Exposure/risk to District

Based upon the above criteria, the investigator maybe one, or a team made up of one or more, of the following:

- (a) Captain/Acting Captain
- (b) Chief Officer
- (c) Private investigator
- (d) District's worker's compensation carrier
- (e) District's liability insurance carrier
- (f) District's legal counsel
- (g) Law enforcement

Investigative techniques/methods may be, but not necessarily limited to, one of, or a combination of, the following:

- (a) Letter of Explanation. Fact finding method sometimes utilized to gather preliminary information. A Letter of Explanation is a letter sent by the supervisor asking that the subject or witnesses provide written information regarding the event.
- (b) Personal Interview(s) conducted by the investigator
- (c) Review of documents, personnel records, tape recordings, transcripts of recordings.

Interviews may be tape recorded as evidence at the discretion of the investigator. The investigator/ investigative team be objective, fair and consider multiple points of view.

Supervisors conducting the initial fact finding and/or interviews shall prepare a written report which should include the following.

- (a) Date, time and location of the alleged incident
- (b) Specifically what was seen or heard
- (c) Names of other employees who may have seen or be familiarwith the event

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- (d) Discussion, if any, with the employee and his/her response

In all disciplinary actions other than those which can be initiated and signed by the employees immediate supervisor, the supervisor shall report their findings and a recommendation for disciplinary action to the Fire Chief or his/her designee.

Interviews (Interrogations) and Representation:

- (a) When a firefighter is under investigation and needs to be interviewed about an event that might lead to formal disciplinary action, the interview/interrogation shall be conducted at a reasonable hour, preferably on duty or during normal waking hours, unless the seriousness of the investigation requires otherwise.
- (b) The interrogation/interview of a firefighter under investigation does not necessarily have to be pre-scheduled however the firefighter shall be informed prior to the actual commencement of interrogation of the nature of the investigation. The firefighter, at his/her request, shall have the right to have a representative of his/her choice present at all times during the interrogation.
- (c) Any employee/member being interviewed shall cooperate and answer all questions fully and truthfully. Failure to do so shall be cause for disciplinary action.
- (d) The complete interrogation of a firefighter may be tape recorded. If a tape recording is made, the firefighter shall have access to the tape or provided a copy of the tape upon request.

#### **1147.6 PRESCRIPTIVE, CORRECTIVE AND DISCIPLINARY ACTIONS**

- (a) Any employee may be relieved from duty pending an investigation of his or her acts or failure to act, which may be grounds for disciplinary action.
- (b) Administrative leave pending an investigation shall not be considered punitive in nature and is to be used only while an investigation is in progress.
- (c) The employee shall be considered being on a leave of absence for purposes of service time.
- (a) Prescriptive training may be an acceptable and appropriate alternative to informal or formal discipline or may be used in addition to informal or formal disciplinary actions.
- (b) If the employee/member's performance has not improved sufficiently within the stipulated time frame or if similar incidents occur, the situation should be dealt with as a disciplinary problem.
- (c) Prescriptive Training/Training Improvement Plans shall follow established guidelines.
- (a) Counseling
  - 1. Counseling is when an employee/member is made aware of his/her violation verbally by his/her supervisor and is usually the first action taken to assist the employee/member in clarifying and remedying the problem. A record of the counseling should be maintained by the supervisor to assure that multiple such incidents are accounted for.
- (b) Oral Reprimand/Admonishment

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1. Oral reprimands are utilized when it is necessary to verbally notify the member that his/her performance or behavior must be improved or when an employee/member's conduct warrants a more substantial initial step. The reprimand defines areas in which improvement is required or which policies/rules have been violated and informs the employee/member that failure to improve will result in more serious action. Oral reprimands/admonishments should be documented and placed in the supervisors file on a permanent basis.
- (c) Performance Notices
1. Performance Notices and/or Letters of Direction are placed in an employees personnel file for 90 days and are utilized to record/document violations of District policy, SOPs, performance issues and/or misconduct.
- (a) Suspension from duty
- (b) Demotion
- (c) Dismissal
- (d) Official Written Reprimand
1. An Official Written Reprimand is a formal notice to a member that further disciplinary actions will be taken unless his/her behavior or performance improves.
  2. Written reprimands do not require "due process" (Skelly Pre-Action Procedure) and are not appealable.
  3. The original copy of the written reprimand must be placed in the member's permanent file and becomes a permanent part of that file.
  4. Members are not required to sign a copy of the Written Reprimand however, they are provided an opportunity to comment.
  5. If a member refuses to sign the Written Reprimand, the supervisor should note the refusal on the document.
  6. Refusal to sign is not grounds for separate disciplinary action.
- (e) A Written Reprimand should contain the following:
1. What occurred and the date and approximate time of the event
  2. Any specific rule, regulation, SOP that may have been violated
  3. Description of inappropriate behavior
  4. Any supporting documentation
  5. What the member is directed to do to correct the situation
- (f) Suspension from Duty
1. The employee is removed from his/her duties for a specified number of days. Suspensions are normally used in cases involving chronic misconduct or behavioral problems or an incident of gross misconduct for which there seems to be no other appropriate response.

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2. Members have the right to appeal suspensions in excess of four (4)- 24 hour shifts or Ten (10) eight-hour working days. Suspensions of 4 shifts or less are not appealable.
3. All suspension days shall run consecutively and shall not include any scheduled days off.

(g) Demotion

1. Demotion is the reduction of an employee from a position in one rank/class to a position in another rank/class.
2. A demotion can be one or more steps down.
3. A demotion can be permanent or for a specified period of time after which he/she will become eligible to test for future promotional lists.
4. Depending upon the nature of misconduct or performance issues which precipitated the demotion, an employee demoted from a higher rank to a lower rank may be deemed not qualified or competent to fill shift vacancies in the higher rank (working relief for vacation/sick/CTO etc.), or may be allowed to fill vacancies at a higher rank only after a set period of time and/or under a prescribed set of circumstances.
5. When an employee is demoted the employee has the right to appeal.

#### 1147.6.1 DISMISSAL / TERMINATION FROM SERVICE

- (a) Used for a serious infraction, continued failures in work performance, and/or continuing offenses that can no longer be tolerated.
- (b) Dismissals may only be instituted after consultation and approval of the Fire Chief.
- (c) When an employee is dismissed/terminated, he/she has the right to appeal.
- (d) The Fire Chief or his/her designee may allow the employee to resign in lieu of dismissal if he/she believes a resignation may be in the best interests of the district and/or the employee.

#### 1147.6.2 RESIGNATION IN LIEU OF DISCIPLINARY ACTION

- (a) Prior to service of a disciplinary action, a member may announce intent to resign or ask to resign. It is a members right to resign under any circumstances and he/she cannot be prevented from doing so.
- (b) The resignation must be entirely voluntary.
- (c) A supervisor must never bring up the subject of the possibility of resignation nor suggest it to the employee before service of the disciplinary action.
- (d) After service of a disciplinary action for dismissal, the employee can be given 24 hours to consider resignation in lieu of termination so the member cannot claim that the decision was made under duress.
- (e) If the employee decides to resign he/she should do so via a letter to the Fire Chief or his/her designee.



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- (f) By resigning the employee loses the right to appeal his/her termination.
- (g) Inquiries from future employers regarding the reasons for leaving will be answered, in accordance with the law and in most cases, by the simple statement that the member resigned, his/her rank, his/her time in service with the District and his/her volunteer status at the time of resignation.
- (h) As allowed by law, other information may be shared if the reason for resignation was based upon known factual information about drug or alcohol use, dishonesty, theft, or moral turpitude.

#### 1147.6.3 FAILURE TO MEET CONDITIONS OF EMPLOYMENT

Whenever a permanent employee fails to meet Conditions of Employment such as maintaining required licensee, a credential, failure to take mandated training classes, etc., which is required by the District, they may be dismissed/terminated.

Employees being disciplined and/or terminated for Failure To Meet Conditions of Employment have the right to appeal.

#### **1147.7 APPEALS**

The Board of Directors shall act as the Appeals Board for volunteer, extra-hire, or limited term members or employees. The members appeal rights are further spelled out within these policies. Typically actions such as Training and Performance Improvement Plans, Performance Notices, extension of probationary periods, written reprimands and denial of a merit step increase are not appealable.

Unless specifically addressed and excluded by a written contract between the District and the employee, members holding Administrative Positions such as the Fire Chief, Assistant Chiefs, Deputy Chiefs, shall be entitled to the same progressive discipline from the Board of Directors as is available to other District members/employees. Appeals of disciplinary actions initiated by the Board against the Fire Chief shall be handled through third party arbitration.

##### 1147.7.1 DISCIPLINARY ACTIONS WHICH ARE APPEALABLE

- (a) Suspension from duty in excess of four shift days (96 hours) or 10 working days (80) hours
- (b) Demotion of a member not in a probationary status
- (c) Discharge

##### 1147.7.2 APPEAL PROCEDURES

- (a) The member may within 14 days of receiving the final notice of disciplinary action appeal the ruling to the Board of Directors.
- (b) The member is entitled to only one hearing and nothing within these policies is intended to create two appellate procedures, i.e., one through the disciplinary appeal process and one through the grievance process.

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- (c) Any member/employee who appears before the Board to appeal a disciplinary action may choose to do so within the context of a closed hearing or an open hearing.
- (d) Any member/employee may choose to have representation during the hearing at their own expense and to answer to, respond to, and defend him/herself against all charges.
- (e) The scope of a Disciplinary Hearing shall be limited to:
  - 1. A determination by the Board that the disciplinary process was correctly followed;
  - 2. After presentation of evidence by both sides, a determination by the Board as to whether the offense did or did not occur as charged.
  - 3. A determination by the Board that the imposed disciplinary action was appropriate for the offense.
  - 4. A determination by the Board to uphold, reduce or overturn the disciplinary action.

## Employee / Member Separation

### 1148.1 PURPOSE & SCOPE

- A. The policies outlined below are to be used to insure accurate and timely processing of employees who are being removed from the District payroll.
1. **Resignation:**The voluntary termination by a member/employee of his/her services from regular status with the District is a resignation.The tendering of a resignation under threat of termination or disciplinary action shall be considered a discharge and subject to the provisions of this policy covering discharge and shall be documented as a resignation tendered under disciplinary action leading to termination.
    - (a) Any employee resigning shall give the Fire Chief written notice no less than 15 days in advance of the date of separation.F ailure to give such notice will disqualify such employee for privileges available to an employee who has resigned in good standing. Written resignations shall be presented to the Board of Directors at their next regular meeting.
    - (b) The following will be considered a resignation not in good standing and the employee will be eligible for reinstatement only if exceptional circumstances explain why the employee could not have contacted the District.
      - i. An absence from regularly scheduled work assignment of five or more calendar days for 40-hour employees or two shifts for 56-hour employees, without notice to the District.
      - ii. Failure to return from leave of absence as arranged with the District.
      - iii. Failure to return from reduction in force upon recall.
      - iv. Failure to give the District 30 day's written notice of retirement.
  2. **Release:** A Separation in which the member/employee is not qualified or able to perform the essential functions of the job with or without accommodation and no other job is available. Members/employees who are unable to perform satisfactorily during the probationary period will be considered released.
  3. **Retirement:** A voluntary Separation which usually includes eligibility for benefits under the District's contract with the Public Employment Retirement System.
  4. **Discharge:** A Separation in which the employee is removed from the payroll for violation of employee standards of conduct, safety regulations, unsatisfactory job performance, or any other reason deemed by the District to warrant discharge.

*Employee / Member Separation*

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5. **Death in the Performance of Duties or Otherwise: Death of an employee while on duty or off duty shall be considered a Separation in Good Standing**

**1148.2 PROCEDURES**

- A. **Notice to Employee: Except in the case of Reduction in Force there are no requirements for advance notice to employees upon Separation. In the event of a RIF, the Fire Chief will give at least thirty (30) days advance written notice to employees to be laid off, unless a shorter period of time is authorized by the Board of Directors. In no case shall the Fire Chief give less than fourteen (14) days written advance notice to employees to be laid off during a RIF.**
- B. **Return of District Property: All District property issued to the employee must be returned on or before the last day of employment. The replacement value of District property not returned will be charged against the employee's final wages for paid employees.**

# Probationary and Regular Personnel Appointments

## 1149.1 PURPOSE AND SCOPE

This policy establishes guidelines for the appointment of new probationary members and outlines the probationary periods of newly promoted regular members.

## 1149.2 Policy

It is the policy of the District to establish probationary periods for new or promoted members and to ensure satisfactory performance before a member is awarded a regular position.

## 1149.3 PROBATIONARY APPOINTMENTS

- (a) All appointments from officially promulgated eligibility lists for any new employee hired to fill a currently authorized or newly created position shall be in a probationary status for one year. Probationary periods may be extended for, but not necessarily limited to, reasons related to performance issues, absenteeism and/or misconduct.
- (b) Any new employee serving in a probationary status, whose performance/behavior is deemed unsatisfactory, or who is determined not to be meeting the professional standards of the position, may be terminated without cause or right of appeal.
- (c) Any employee/member promoted, appointed to a different classification, or transferred to a different position shall be in a probationary status for one year. Probationary periods may be extended for, but not necessarily limited to, reasons related to performance issues and/or misconduct.
- (d) A "permanent status" employee serving in a probationary status as the result of a promotion whose performance is deemed unsatisfactory or who does not meet the standards of conduct for the position may be reinstated to his/her previous rank/position without entitlement to "due process" or appeal. Reinstatement to a lower rank resulting from performance issues is not considered a "demotion." Reinstatement to a lower rank may be used in addition to other disciplinary actions for misconduct.
- (e) Probationary time begins on the first day of work following appointment to a vacant position. Time served in the position prior to official appointment shall not apply to the probationary period.
- (f) Probationary periods may be extended for a period not to exceed one additional year for further evaluation of job performance and/or as part of a disciplinary action. Extensions of probationary periods shall be tied to a written Performance Improvement Plan that calls for written performance evaluations to be conducted every three months during the probationary extension.
- (g) Probationary periods for any employee/member in a probationary status may be extended in instances where the probationary period is interrupted by an approved leave of absence, injury, medical, or family emergency that results in extended absences from work.

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### *Probationary and Regular Personnel Appointments*

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- (h) An employee/member serving in a probationary status and whose probationary period was extended shall not be eligible for a merit/step raise until successful completion of his/her probationary period.
- (i) Probationary employees shall be periodically evaluated as per the District's Performance Evaluation Policy.

#### **1149.4 REGULAR APPOINTMENTS**

- (a) The regular appointment of a probationary employee shall be effective on the first day following the successful completion of the specified probationary period. Such appointment shall be made by the Fire Chief. The recommendation shall be based on the employee having successfully completed all requirements of the job classification in accordance with the standards of the District and demonstration of ability to maintain such performance to a satisfactory level. The Fire Chief shall notify the probationer in writing that the employee's services are to be continued in a regular status, extended in a probationary status, or terminated.
- (b) Regular appointment shall be made after successful completion of the following:
  1. Careful appraisal of a probationary performance shall be made by the immediate supervisors during the duration of the probationary period.
  2. The employee appraisal shall consist of a review of the employee's records of conduct, ability to learn and practice the knowledge imparted through supervisors and training, incentive to continue acceptance of the increase responsibilities of the position.
  3. Employee successfully completing the training and skill examinations as required during the probationary period.
  4. Failure to comply with any of the requirements of probationary performance or unsatisfactory performance during the probationary period shall be sufficient for separation of employment.

## Volunteer Per-Call Stipends

### 1150.1 PURPOSE

The Purpose of this policy is to enact a system that provides a nominal stipend to Volunteers with the Fire District who respond to or are available for coverage during District Calls for Service.

### 1150.2 ADMINISTRATION OF THE PROGRAM

The Fire Chief or his/her designee will develop an attendance tracking system. Volunteer Per-Call Stipends will be paid monthly with the Fire District's bi-weekly payroll occurring after the beginning of each month. Each Volunteer that responds to a Call will receive a stipend based on his/her qualifications and the duration of the call.

### 1150.3 STIPEND AMOUNTS

For Calls less than 4 hours in duration:

1. BASE (EMS / Trainee / Support): \$2.00
2. EMR / (EMT): \$3.00 / (\$8.00).
3. Firefighter Type 2 (CICCS): \$2.00
4. Fire Control 3 (SCBA Structural Firefighter): \$3.00
5. Apparatus Driver Endorsement: \$5.00
6. Engine Boss / (Trainee): \$10.00 / (\$5.00)

Calls longer than 4 hours in duration = Stipend is doubled.

## Chapter 12 - Position Descriptions



## Position Descriptions

### 1200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive description of overall duties and responsibilities of paid job classification within the District.

### 1200.2 POLICY

It is the policy of the Central Calaveras Fire Protection District to develop unique position descriptions for each paid job classification.

### 1200.3 PROCEDURE

The Fire Chief will develop and maintain paid classification specifications in this Policy Manual. The position specification will indicate which Section / Division(s) the position is assigned to and whether the position is designated as full-time or part-time / per-diem, Within the classification specifications there may be multiple assignments. The descriptions will detail the unique duties and responsibilities of each assignment.

Position descriptions should be considered living documents and should be reviewed and evaluated for modification. This should occur at least annually and any time duties or expectations of a specific position substantially change.

## Fire Chief

### 1201.1 CHIEF EXECUTIVE OFFICER (FIRE CHIEF)

(a) Scope of Employment:

1. The Fire Chief, hired by the Board of Directors, shall act as their chief executive officer.
2. The primary role of the Fire Chief is to administer, plan, organize and supervise the delivery of fire services within the District. The Fire Chief reports directly to the Board of Directors and carries out the policies and directives set forth by the Board.

(b) Terms of Employment:

1. The terms of employment, including compensation shall be determined by a contractual agreement with the Fire Chief and the Board of Directors.

(c) Scope of Authority:

1. Under those policies and guidelines established by the Board of Directors, the Fire Chief shall have full supervisory and command authority over all District personnel, equipment, resources, facilities, programs, operations and the adopted budget which appropriates funds for the fiscal year.

(d) Primary Functions:

1. The Fire Chief should be responsible for the overall planning, coordinating, and providing of efficient and economic fire protection and emergency services for the District.
2. The Fire Chief should prepare and administer the budget.
3. The Fire Chief is responsible for all daily operations, non-emergency operations, and emergency operations of the District.
4. The Fire Chief should however, keep the Board informed of all situations which might extend beyond the operations of the organization.
5. As head of the management team, the Fire Chief evaluates and sets the goals and objectives of the District.
6. The Fire Chief prepares and administers the fiscal budget, advises the Board on fire protection and emergency services matters and the administration of the District.
7. The Fire Chief coordinates the efforts of all staff members and volunteers to keep all programs, procedures, etc. in line with the overall goals, objectives, mission, and Strategic Plan of the District.

(e) Description of Duties:

1. Administers, plans, organizes, and supervises operations of the Fire District.
2. Carries out directives issued by the Board.

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### *Fire Chief*

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3. Responds to emergencies as required.  
Confers with the various committees of the Board on District policy, long range planning and coordination of District activities with other fire districts and public agencies.
  4. Analyzes, prepares and supervises the administration of the budget.
  5. Prepares Board meeting agendas and materials for Board review.
  6. Directs the selection, hiring, evaluation and promotion of District personnel.
  7. Supervises the counseling and disciplining of personnel.
  8. Meets with citizen groups.
  9. Attends workshops and seminars to keep abreast of modern practices in the delivery of fire services and legislative issues.
  10. Develops automatic and mutual aid agreements.
  11. Formulates and recommends policies for Board review and adoption.
  12. Develops standard operating procedures.
  13. Develops and maintains a resource network of fire service professionals and attends meetings of local and state fire service organizations.
- (f) Minimum Qualifications, Knowledge, Skills and Experience:
1. California State Fire Marshall Fire Officer Certification
  2. NIMS IS 700
  3. NIMS IS 800
  4. Current EMR (Emergency Medical Responder)
  5. Current CPR – Healthcare provider or equivalent level
  6. Hazardous Materials First Responder Operations Level
  7. Valid California Motor Vehicle Operator's license with Firefighter endorsement
- (g) Desirable Qualifications:
1. NFA Executive Fire Officer or CFTES Chief Officer Certification
  2. Minimum 10 years fire service experience in combination as a volunteer and paid firefighter
  3. Minimum 5 years full-time paid experience working in an administrative position within a fire district
  4. Current EMT-Basic
  5. Knowledge and experience in the principles of wildland/urban intermix fire protection
  6. Knowledge and experience with the recruitment and retention of volunteers
  7. Knowledge of the financing and funding of special districts

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### *Fire Chief*

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8. Knowledge and experience in building and maintaining public relations programs
9. Knowledge and experience working within the California Mutual Aid system and the Incident Command System
10. Ability to communicate effectively both orally and in writing
11. Knowledge of public employment laws and experience in directing, supervising counseling and disciplining of personnel
12. Knowledge of modern principles and practices of structural and wildland fire suppression
13. Knowledge and experience in budget development and budget administration

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## Logistics & Planning Manager

### 1202.1 FIRE CAPTAIN

Acts as the Chief of Staff. Assists the Fire Chief in the planning and direction of administrative, financial, and logistical activities for the organization. Organizes and prioritizes critical issues and required information for the Fire Chief to facilitate efficient decision making. Acts as a point of contact or gatekeeper for the Fire Chief. Provides oversight and guidance to projects of high importance.

### 1202.2 LOGISTICS & PLANNING SECTION

### 1202.3 PERMANENT, FULL-TIME POSITION

### 1202.4 SCOPE, DUTIES & QUALIFICATIONS

(a) Scope of Employment

1. Under the direction of the Fire Chief, The Logistics & Planning Manager commands the logistical and planning activities of paid and volunteer personnel assigned to him/her.
2. Under the direction of the Fire Chief, supervises the recruitment and selection of paid and volunteer personnel assigned to the Logistics & Planning Section.
3. Responsible for the supervision and direction of paid and volunteer personnel as they perform routine duties and carry out assignments pertaining to apparatus maintenance, equipment and facility maintenance and other activities as may be assigned to the shifts by the Fire Chief.
4. Responsible for overseeing and/or completing related operational activities as assigned by the Fire Chief.
5. Acts as the District's Health and Safety Officer.
6. Oversees Operations in the absence of the Operations Manager.

(b) Duties and Responsibilities:

1. Oversees the Fire Department's supply system that includes the procurement, storage, inventory, and distribution of all equipment and supplies.
2. Supervises the operations of the Fire Department Logistics Section.
3. Coordinates the maintenance and repair of fire apparatus and vehicles.
4. Develops and maintains acceptable purchase order and inventory accounting systems.
5. Supervises and coordinates all requests for fire facility repairs and maintenance.
6. Develops and maintains appropriate division-related records accurately and efficiently.

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### *Logistics & Planning Manager*

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7. Insures quality control of maintenance and repair work, purchased supplies, and equipment.
  8. Assists in the development of specifications for the purchase of capital equipment.
  9. Supervises and/or coordinates the maintenance, repair, and availability of all safety equipment, including self contained breathing apparatus (SCBA), bunker gear, firefighting footwear, etc.
  10. Supervises and evaluates personnel assigned to the Logistics and Planning Section and insures their efficient productivity.
  11. Assists in developing Logistics-related contracts and agreements.
  12. Assists in the annual Fire Department budget development, as well as monitoring budget account balances and expenditures related to Logistics.
  13. Assures availability and reliability of Logistics functions during times of natural or manmade disasters or large scale emergencies. Establishes and maintains plans, procedures, and contracts to assure uninterrupted operations.
  14. Coordinates support activities for Fire District Preparedness planning.
  15. Performs related work as required.
- (c) Minimum Qualifications/Knowledge/Skills/Experience:
1. High School Diploma or equivalent.
  2. An Associates Degree from an accredited college or university and five (5) years of full-time paid experience in logistics, management information systems, engineering, supply chain management, statistics, business administration, public administration or closely related field.
  3. Knowledge of modern principles, practices, and procedures of firefighting vehicles, equipment and apparatus.
  4. Skills in contract negotiation and project management are required.
  5. A working knowledge of building construction components and methods is required.
  6. Must be computer literate and have a working knowledge in the use of Microsoft Office.
  7. ICS 100
  8. ICS 200
  9. ICS 300
  10. NIMS IS 700
  11. NIMS IS 800
  12. CICC Engine Boss
  13. Current EMR (Emergency Medical Responder)

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### *Logistics & Planning Manager*

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14. Current CPR – Healthcare Provider or equivalent level
  15. Hazardous Materials First Responder Operations Level;
  16. Valid California Motor Vehicle Operator's license with Firefighter endorsement
  17. Physical condition, as prescribed in NFPA 1582-1992, Firefighter Professional Qualifications, and fitness as determined by the District's required physical.
  18. Considerable knowledge in Logistics, including maintaining inventories, stock amounts, and the distribution of supplies and equipment to multiple facilities.
  19. Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, apparatus and equipment user guides, and government regulations.
  20. Ability to write reports, business correspondence, and procedure manuals.
  21. Ability to effectively present information and respond to questions from managers, fire personnel, and vendors.
  22. Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area and volume.
  23. Ability to solve practical problems and deal with a variety of issues regarding building, vehicle, and equipment maintenance.
  24. Ability to prioritize workload based on the needs of requesting department members or staff.
  25. Ability to effectively supervise skilled and unskilled employees
  26. Ability to take a teamwork approach to the job by cooperating with others, offering help when needed, and considering the larger organization and team goals rather than individual concerns.
  27. Ability to establish and maintain effective working relationships.
  28. Ability to serve the public and fellow employees with honesty and integrity in full accord with the letter and spirit of all ethics and conflicts of interest policies.
  29. A strong understanding of ethical behavior is required.
  30. Ability to establish and maintain effective working relationships with the general public, co-workers, city officials and members of diverse cultural and linguistic backgrounds regardless of race, religion, age, sex, disability or political affiliation.
  31. Ability to maintain regular and punctual attendance.
- (d) Desired Qualifications/Knowledge/Skills/Experience:
1. California State Fire Marshal Fire Officer Certification
  2. California State Fire Marshal Fire Apparatus Driver / Operator Certification

# Operations Manager

## 1203.1 FIRE CAPTAIN

## 1203.2 OPERATIONS SECTION

## 1203.3 PERMANENT, FULL-TIME POSITION

## 1203.4 SCOPE, DUTIES & QUALIFICATIONS

(a) Scope of Employment

1. Under the direction of the Fire Chief, The Operations Manager commands the operational fire suppression activities of paid and volunteer personnel assigned to him/her.
2. Under the direction of the Fire Chief, supervises the recruitment and selection of paid and volunteer personnel assigned to the Operations Section,
3. Responsible for the supervision and direction of paid and volunteer personnel as they perform routine duties and carry out emergency assignments pertaining to operations, incident preparedness, and other activities as may be assigned by the Fire Chief.
4. Responsible for overseeing and/or completing related logistical, administrative, and fire prevention activities as assigned by the Fire Chief.
5. Acts as the District's Training Officer.
6. Oversees Logistics and Planning in the absence of the Logistics & Planning Manager.

(b) Duties and Responsibilities

1. Listed below are examples of the typical duties and responsibilities of Operations Manager.. This list is not intended to encompass all the duties relative to this position.
  - (a) Responds to alarms and commands the activities of the paid and volunteer companies ensuring that assigned personnel are appropriately dressed, adequately trained, and properly briefed to insure the rapid, efficient, and effective mitigation of incidents.
  - (b) Works as incident commander until relieved.
  - (c) Makes decisions as to the best method of performing rescues, extinguishing structural and wildland fires and extricating victims of vehicle accidents.
  - (d) Directs the placement and size of hose lines, the placement of ladders, the ventilation of buildings, and may be required to perform and/or assist in the performance of all emergency operations. D



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### *Operations Manager*

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- (e) Directs the overhauling and securing of buildings following a fire to ensure there is no rekindle and to preserve the scene for fire investigations.
  - (f) Assists in medical aids and rescues.
  - (g) Supervises the cleaning of quarters, apparatus, and equipment.
  - (h) Develops lesson plans and delivers training to personnel assigned to his/her shift.
  - (i) Develops lesson plans and delivers training to volunteers when scheduled shift days fall on volunteer training night.
  - (j) Maintains discipline and enforces District policies, SOPs, rules and regulations.
  - (k) Completes ongoing shift work, project work, fire prevention activities, public education programs, and public service assistance as may be assigned by the Fire Chief.
  - (l) Formally evaluates personnel assigned to his/her shifts and recommends ways to improve knowledge, skills and abilities.
  - (m) Keeps abreast of modern principles and practices of structural and wildland fire suppression. Is responsible for writing incident reports, entering activities into the daily log and maintaining such records as required by District policies, procedures and administrative directives.
  - (n) Acts as the District's Duty Officer and reports to the Fire Chief.
  - (o) Studies the location of streets, fire hydrants, sprinkler systems, and alarm systems.
  - (p) Conducts inspections of commercial occupancies and becomes familiar with the floor plans, type of construction and hazards associated with each occupancy.
  - (q) Drives and operates fire apparatus, staff vehicles and utilities.
  - (r) Greets and assists the public in a helpful positive manner.
2. Minimum Qualifications/Knowledge/Skills/Experience:
- (a) High School Diploma or equivalent
  - (b) ICS 100
  - (c) ICS 200
  - (d) ICS 300
  - (e) NIMS IS 700
  - (f) NIMS IS 800
  - (g) CICCIS Engine Boss
  - (h) Current EMR (Emergency Medical Responder)

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### *Operations Manager*

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- (i) Current CPR – Healthcare Provider or equivalent level
  - (j) Hazardous Materials First Responder Operations Level;
  - (k) Valid California Motor Vehicle Operator's license with Firefighter endorsement;
  - (l) Physical condition, as prescribed in NFPA 1582-1992, Firefighter Professional Qualifications, and fitness as determined by the District's required physical.
  - (m) Knowledge of modern structural and wildland fire suppression, emergency medical care, rescue and fire prevention methods  
Ability to think clearly, adopt reasonable and effective courses of action, act quickly, and give appropriate orders and directions under emergency conditions
  - (n) Ability to effectively lead, supervise, maintain discipline, promote harmony, and cooperate with other officers and personnel
  - (o) Ability to prepare clear and concise incident report
  - (p) Ability to interact with the public and promote a positive public image
  - (q) Knowledge, ability and experience in preparing and delivering training classes, drills and other training related activities
  - (r) Ability to establish and maintain effective relationships with others
  - (s) Ability to communicate effectively both orally and in written form
3. Desired Qualifications/Knowledge/Skills/Experience:
- (a) California State Fire Marshal Fire Officer Certification
  - (b) California State Fire Marshal Fire Apparatus Driver / Operator Certification

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## Duty Officer / Engine Boss

### 1204.1 POSITION RANK

The position of Duty Officer / Engine Boss is typically filled by a Fire Lieutenant. Individuals certified by the California State Fire Marshal as a Fire Officer or Company Officer may be appointed at the rank of Fire Captain at the discretion of the Fire Chief.

### 1204.2 OPERATIONS DIVISION

### 1204.3 EXTRA-HIRE, PART TIME POSITION

### 1204.4 SCOPE, DUTIES, & QUALIFICATIONS

- I. .Scope of Employment
  1. Under the direction of the Fire Chief or Fire Captain commands the operational fire suppression activities of paid and volunteer personnel assigned to him/her.
  2. Responsible for the supervision and direction of paid and volunteer personnel as they perform routine duties and carry out assignments pertaining to apparatus maintenance, equipment and facility maintenance and other activities as may be assigned to the shifts by the Fire Chief.
  3. A Duty Officer / Engine Boss is responsible for overseeing and/or completing logistical, administrative, training, and fire prevention activities as assigned by the Fire Chief or Operations Manager.
- II. Duties and Responsibilities
  1. Listed below are examples of the typical duties and responsibilities of a Duty Officer / Engine Boss This list is not intended to encompass all the duties relative to this position.
  2. Responds to alarms and commands the activities of the paid and volunteer companies ensuring that assigned personnel are appropriately dressed, adequately trained, and properly briefed to insure the rapid, efficient, and effective mitigation of incidents.
  3. Works as incident commander until relieved.
  4. Makes decisions as to the best method of performing rescues, extinguishing structural and wildland fires and extricating victims of vehicle accidents.
  5. Directs the placement and size of hose lines, the placement of ladders, the ventilation of buildings, and may be required to perform and/or assist in the performance of all emergency operations.
  6. Directs the overhauling and securing of buildings following a fire to ensure there is no rekindle and to preserve the scene for fire investigations.

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## CCFRPD Policy Manual

### *Duty Officer / Engine Boss*

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7. Assists in medical aids and rescues.
  8. Supervises the cleaning of quarters, apparatus, and equipment.
  9. Develops lesson plans and delivers training to personnel assigned to his/her shift.
  10. Develops lesson plans and delivers training to volunteers when scheduled shift days fall on volunteer training night.
  11. Maintains discipline and enforces District policies, SOPs, rules and regulations.
  12. Completes ongoing shift work, project work, fire prevention activities, public education programs, and public service assistance as may be assigned by the Fire Chief.
  13. Formally evaluates personnel assigned to his/her shifts and recommends ways to improve knowledge, skills and abilities.
  14. Keeps abreast of modern principles and practices of structural and wildland fire suppression. Is responsible for writing incident reports, entering activities into the daily log and maintaining such records as required by District policies, procedures and administrative directives.
  15. Acts as the District's Duty Officer and reports to the Fire Chief in the absence of the Operations Manager.
  16. Studies the location of streets, fire hydrants, sprinkler systems, and alarm systems.
  17. Conducts inspections of commercial occupancies and becomes familiar with the floor plans, type of construction and hazards associated with each occupancy.
  18. Drives and operates fire apparatus, staff vehicles and utilities.
  19. Greets and assists the public in a helpful positive manner.
- III. Minimum Qualifications/Knowledge/Skills/Experience:
1. High School Diploma or equivalent
  2. ICS 100
  3. ICS 200
  4. ICS 300
  5. NIMS IS 700
  6. NIMS IS 800
  7. CICCIS Engine Boss
  8. Current EMR (Emergency Medical Responder)
  9. Current CPR – Healthcare Provider or equivalent level
  10. Hazardous Materials First Responder Operations Level;
  11. Valid California Motor Vehicle Operator's license with Firefighter endorsement;

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### *Duty Officer / Engine Boss*

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12. Physical condition, as prescribed in NFPA 1582-1992, Firefighter Professional Qualifications, and fitness as determined by the District's required physical.
  13. Knowledge of modern structural and wildland fire suppression, emergency medical care, rescue and fire prevention methods
  14. Ability to think clearly, adopt reasonable and effective courses of action, act quickly, and give appropriate orders and directions under emergency conditions
  15. Ability to effectively lead, supervise, maintain discipline, promote harmony, and cooperate with other officers and personnel
  16. Ability to prepare clear and concise incident report
  17. Ability to interact with the public and promote a positive public image
  18. Knowledge, ability and experience in preparing and delivering training classes, drills and other training related activities
  19. Ability to establish and maintain effective relationships with others
  20. Ability to communicate effectively both orally and in written form.
- IV. Desired Qualifications/Knowledge/Skills/Experience:
1. California State Fire Marshal Fire Officer Certification
  2. California State Fire Marshal Fire Apparatus Driver / Operator Certification

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# Apprentice Firefighter Program

## 1206.1 PURPOSE

1. The Board of Directors of the Central Calaveras Fire & Rescue Protection District (CCFRPD) hereby authorizes the establishment of a Apprentice Firefighter program as part of the CCFRPD's emergency service delivery system to assist persons who are interested in pursuing a fire service career and to provide CCFRPD additional volunteer firefighter staffing to meet the Fire District's mission.
2. Apprentice positions are established and funded by CCFRPD in order to provide a nominal stipend to assist persons who are interested in pursuing a fire service career. The CCFRPD will provide training and guidance to Apprentice Firefighters for the many varied aspects of emergency response and daily station duties. Apprentices are included among the volunteer ranks of the CCFRPD.

## 1206.2 ELIGIBILITY

Apprentices must:

1. Maintain satisfactory levels of training, incident, and routine work performance
2. Complete training and assignments as directed by the Fire Chief. Applicants for Apprentice Firefighter positions must complete all aspects of the application process and be approved by the Fire Chief before becoming eligible to receive any stipend.
3. Qualifications, positions, and assignments for Apprentices will be determined by the Fire Chief.
4. CCFRPD will endeavor to maintain a roster of Apprentices sufficient to allow one Apprentice on duty. Priority will be given to Apprentices qualified as Driver Operators.
5. Apprentice positions will also be used to maintain staffing levels for assignments contracted by CCFRPD (i.e 'Strike Teams') and associated backfill.
6. Residents will be asked to sign a Memorandum of Understanding (MOU) which outlines the terms and conditions of service in their Apprentice Firefighter Program and clarifies, up front, that he/she is considered a volunteer and not a paid employee.
7. No rooms other than sleeping accommodations at Station One during the on-duty shift are provided.

## 1206.3 Stipends

Each Apprentice will receive a nominal stipend of \$75.00 for each 24-hour shift worked for meals, travel and other associated expenses.

# Central Calaveras Fire Protection District

## CCFRPD Policy Manual

### *Apprentice Firefighter Program*

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#### **1206.4 ADDITIONAL STIPENDS**

1. Central Calaveras Fire participates in the California Master Mutual Aid System and also has Assistance by Hire agreements with Cal-Fire. Assignments under these agreements are typically referred to as Strike Teams. Central Calaveras Fire is reimbursed pursuant to contractual agreement based upon the type of apparatus and staffing that is requested.
2. To provide the required staffing for Strike Teams and to maintain operational readiness when staffing is depleted, Central Calaveras Fire offers an additional stipend to Volunteer Apprentice Firefighters, Firefighters, Water Tender Operators & Support Personnel to recognize the additional sacrifice of volunteers when assisting in these assignments.
3. Volunteers assigned to a staffing cover or support assignment (i.e. "County Cover", "backfill", "Strike Team support") shall receive an additional shift stipend of \$75.00 for each 24 hour shift. The additional stipend will be received when the volunteer is assigned to a majority of the allotted time period (24 hours). For the first 24 hour operational period, the stipend will be received when the assignment exceeds 6 hours.
4. Volunteers assigned to a "Strike Team", "ABH", or other incident where the Fire District is being reimbursed for providing the personnel and apparatus shall receive an additional shift stipend of \$375.00 as follows for each 24-hour shift. The additional stipend will be received when the volunteer is assigned to a majority of the allotted time period (24 hours). For the first 24 hour operational period, the stipend will be received when the assignment exceeds 6 hours.

#### **1206.5 SPECIALIST STIPENDS**

The Fire Chief is authorized to offer additional stipends to Volunteers who are assigned specific duties. The Fire Chief will develop and maintain a position description in the Fire District Procedure Manual for each Volunteer Specialist Position. The Board of Directors will review Volunteer Specialist Position descriptions annually in May of each year.

## Small Engine Mechanic

### 1214.1 LOGISTICS DIVISION

### 1214.2 VOLUNTEER POSITION

### 1214.3 SCOPE, DUTIES, & QUALIFICATIONS

- (a) The Small Engine Mechanic repairs and maintains gasoline engines used to power equipment such as portable saws, portable pumps, generators, and compressors.
- (b) The Small Engine Mechanic adjusts points, valves, carburetors, distributors, and spark plug gaps, using feeler gauges.
- (c) The Small Engine Mechanic reassembles engines after repair or maintenance work is complete.
- (d) The Small Engine Mechanic records repairs made, time spent, and parts used.
- (e) The Small Engine Mechanic performs routine maintenance such as cleaning and oiling parts, honing cylinders, and tuning ignition systems.
- (f) The Small Engine Mechanic obtains problem descriptions from users, and prepares cost estimates for repairs.
- (g) The Small Engine Mechanic tests and inspects engines to determine malfunctions, to locate missing and broken parts, and to verify repairs, using diagnostic instruments.
- (h) The Small Engine Mechanic repairs or replaces defective parts such as magnetos, water pumps, gears, pistons, and carburetors, using hand tools.
- (i) Minimum Qualifications: The Small Engine Mechanic needs knowledge of machines and tools, including their designs, uses, repair, and maintenance.

### 1214.4 STIPEND

Stipend: The Small Engine Mechanic will receive a bi-weekly stipend of \$150.00. The payment is considered a stipend and is paid to reimburse the Small Engine Mechanic for costs associated with volunteering for the program with any amount paid in excess of the actual expenses incurred by the volunteer being considered a nominal fee for service. The Stipend is not intended to be an hourly wage and the Small Engine Mechanic is expected to have flexibility in determining the best times and methods for accomplishing the essential functions of the position.



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# Volunteer Recruitment & Retention Coordinator

## 1215.1 POSITION RANK

1. Division Chief

## 1215.2 HUMAN RESOURCES DIVISION

## 1215.3 LIMITED TERM, PART-TIME POSITION

1. 18 hours per week. 4 year term SAFER GRANT EMW-2018-FF-00331

## 1215.4 SCOPE, DUTIES, & QUALIFICATIONS

- (a) The Board of Directors of the Central Calaveras Fire & Rescue Protection District (CCFRPD) hereby authorizes the establishment of a Volunteer Coordinator Position to assist with planning, organizing, and coordinating the recruitment and retention of volunteer membership; to perform routine clerical tasks to recruit and retain volunteer members; to work as the liaison between volunteers and Fire Chief; and to perform other duties as assigned. This position is a 4 year, limited term position funded by SAFER Grant award EMW-2018-FF-00331.
- (b) Examples of Essential Functions:
  - (a) Assists with administering the recruitment and retention of volunteer membership.
  - (b) Coordinates speaking engagements and programs with community organizations.
  - (c) Prepares advertisements and information releases for news media promoting volunteer opportunities.
  - (d) Coordinates the volunteer application process.
  - (e) Prepares monthly reports summarizing recruitment and retention activities. Fosters volunteer involvement and membership.
  - (f) Coordinates volunteer recognition activities.
  - (g) Serves as liaison between volunteer members and the Fire Chief and administrative staff.
  - (h) Performs routine clerical support work as required, which may include but is not limited to preparing correspondence and reports, entering and retrieving computer data, establishing and maintaining file systems, preparing computer generated reports, copying and filing documents, processing mail, sending and receiving faxes, answering the telephone, maintaining logs and lists, and maintaining procedures manuals.
- (c) Minimum Qualifications:
  - (a) Knowledge of basic fire service and EMS terminology and operational procedures.

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## CCFRPD Policy Manual

### *Volunteer Recruitment & Retention Coordinator*

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- (b) Knowledge of techniques and programs that will successfully contribute to the recruitment and retention of District volunteers.
  - (c) Ability to deal with people in promoting harmonious community and Department interactions.
  - (d) Work and communicate with people of all ages and socioeconomic groups.
  - (e) Communicate fluently in written and spoken English.
  - (f) Communicate effectively, orally and in writing.
  - (g) Utilize and demonstrate logical and progressive reasoning ability that supports cause and effect relationships.
  - (h) Demonstrate logical, progressive deductive reasoning ability to arrive at reasonable conclusions in the absence of established facts.
  - (i) Create and manage budgets.
  - (j) Remain clear-headed and diplomatic in stressful situations.
  - (k) Function at both strategic and tactical levels, working in conjunction with District personnel to analyze data/issues, forecast needs, draw conclusions, and identify potential solutions, project consequences of proposed actions, and effectively implement recommendations.
  - (l) Successfully pass a thorough background investigation to include employment reference check and verification of all applicable certifications and educational degrees.
- (d) Training and Experience
- (a) Five years of progressively responsible experience working in program management, the fire service, and volunteer recruitment and retention.
  - (b) A Bachelor's degree from an accredited University is desirable.
  - (c) The District reserves the right to evaluate and consider any combination of education and experience that tends to indicate the applicant possesses the skills, knowledge and abilities listed herein.
- (e) Licenses; Certificates; Special requirements
- (a) A valid California State Driver's License
  - (b) Successfully pass a thorough background investigation to include employment reference check and verification of all applicable certifications and educational degrees.
- (f) Physical and Mental Demands
- (a) The physical and mental demands described here are representative of those that must be met by an individual to successfully perform the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- (a) Physical Demands:

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### *Volunteer Recruitment & Retention Coordinator*

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- (a) The individual must have the ability to conduct coherent voice communication in person as well via portable radio and telephone.
- (b) While performing the duties of this job, the individual may be required to stand; sit; walk; talk and hear; use hands to operate objects and reach with hands and arms.
- (c) Hand-eye coordination is necessary to operate drawing instruments, computers and various pieces of office equipment.
- (d) Work is performed primarily in the fire station and at public assemblies.
- (b) Mental Demands:
  - (a) While performing the duties of this position, the individual will be regularly required to use written and oral communication skills; read and interpret data, information and documents; analyze and solve problems; use math and mathematical reasoning; observe and interpret situations; learn and apply new information or skills; and interact with fire district members, other organizations and the public.
  - (b) The work requires a high level of time management ability, with the ability to prioritize competing work responsibilities.
- (g) Work Environment
  - (a) The work environment characteristics described here are representative of those an individual encounters while performing the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. However, some requirements may exclude individuals who pose a direct threat or significant risk to the health and safety of themselves or other individuals.
  - (b) Work is performed primarily indoors and occasionally outdoors. The individual has extensive contact with the public.
  - (c) The statements contained herein reflect general details as necessary to describe the principal functions of this job, the level of knowledge and skill typically required, and the scope of responsibility but it should not be considered an all-inclusive listing of work requirements.
  - (d) This job description does not constitute an employment agreement between the Employer and Individual and is subject to change as the needs of the Employer and requirements of the job change.

## Safety Officer

### 1216.1 OPERATIONS DIVISION

### 1216.2 VOLUNTEER POSITION

### 1216.3 SCOPE, DUTIES, & QUALIFICATIONS

- I. The Board of Directors of the Central Calaveras Fire & Rescue Protection District (CCFRPD) hereby authorizes the establishment of a Volunteer Safety Officer Position.
- II. Minimum Qualifications: Must be a current member of the Central Calaveras Fire and Rescue Protection District. Must have sufficient skills and abilities to perform the essential functions of the position.
- III. Responsibilities include:
  1. Monitor conditions, activities and operations and take action as appropriate.
  2. Ensure Rehabilitation is established.
  3. Monitor and report the status of conditions, hazards and risks to the incident commander (IC).
  4. Ensure that the accountability system is being utilized.
  5. Using the incident action plan (IAP) from the IC, provide a risk assessment of incident scene operations.
  6. Ensure the establishment of safety zones, collapse zones, hot zones and other hazard areas. Communicate to all members present through one means (via command).
  7. Evaluate traffic hazards and apparatus placement. Take appropriate actions to reduce hazards.
  8. Monitor radio transmissions. Stay alert for missed, unclear or incomplete communications and bridge the gap.
  9. Communicate to the IC the need for additional safety support, based upon the size, complexity or duration of the fire or emergency.
  10. Conduct weekly inspections of district facilities and apparatus.

### 1216.4 STIPEND

Stipend: The Volunteer Safety Officer will receive a bi-weekly stipend of \$250.00. The payment is considered a stipend and is paid to reimburse the Volunteer Safety Officer for costs associated with volunteering for the program with any amount paid in excess of the actual expenses incurred by the volunteer being considered a nominal fee for service. The Stipend is not intended be an hourly wage and the Safety Officer is expected to have flexibility in determining the best times and methods for accomplishing the essential functions of the position.

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## **Attachments**

## **Fire Chaplains Funeral Manual.pdf**

**CCFRPT IIPP.pdf**

# Central Calaveras Fire and Rescue Protection District

## Injury and Illness Prevention Program

- 1) Central Calaveras Fire and Rescue Protection District shall maintain a safety and health program based on the best practices of other fire districts of this type. To be successful, this program embodies proper attitudes toward injuries and illness prevention on the part of District Directors, the Fire Chief, Fire Officers, shift and incident supervisors, and employees (“employee” includes all paid and volunteer District personnel). It also requires cooperation in all safety and health matters, not only between officer or supervisor and employee, but also between each employee and his or her coworkers. Only through such a cooperative effort, can a safety program in the best interest of all be established and preserved. All District personnel are required to comply with the District’s safety and health policies and practices. This includes personnel at every level and in all positions within the District.
- 2) Central Calaveras Fire and Rescue Protection District has established and documented this Injury and Illness Prevention Program (IIPP) in accordance with Title 8, California Code of Regulations, Section 3203, of the General Industry Safety Orders. This IIPP includes the following elements:
  - a. Responsibility and Authority – identification of the person(s) responsible for implementing the IIPP;
  - b. Compliance – a system to ensure employees comply with safe and healthful work practices;
  - c. Communication – a system for communicating occupational safety and health to employees;
  - d. Hazard Assessment – a system to identify and evaluate workplace hazards, including periodic inspections;
  - e. Accident Investigation – a process to investigate workplace injuries and illnesses;
  - f. Hazard Correction – a process to ensure timely correction of unsafe and unhealthful conditions and work practices;
  - g. Training and Instruction – a process to ensure all employees receive training and instruction on general and job-specific safety and health practices; and,
  - h. Record Keeping – a retention policy for IIPP-related records and documentation.



- 3) Central Calaveras Fire and Rescue Protection District is committed to the safety and health of employees in the course of performing their work. Under the IIPP, the Board of Directors, Fire Chief, Fire Officers, and Supervisors are responsible for the safety of employees in their charge.
  - a. Board of Directors
    - i. The Board of Directors has the ultimate responsibility and authority to:
      1. Review and formally adopt the IIPP;
      2. Allocate resources to appropriately implement IIPP elements;
      3. Monitor IIPP implementation efforts by including an update of IIPP activities as an agenda item for board meetings; and,
      4. Approve program additions, changes, and deletions.
  - b. Fire Chief
    - i. The Fire Chief has the responsibility to:
      1. Act as liaison between the day-to-day operations of the safety program and the board by providing periodic updates of IIPP activity at board meetings;
      2. Allocate resources to appropriately implement IIPP elements;
      3. Ensure the IIPP is regularly reviewed and updated as necessary; and,
      4. Hold all District personnel accountable for completing responsibilities outlined below.
  - c. IIPP Administrator
    - i. The Fire Chief is the designated IIPP Administrator with responsibility to:
      1. Coordinate and/or conduct safety training related to general safety policies, rules, and work practices;
      2. Coordinate scheduled workplace inspections of all facilities;
      3. Review periodic safety inspections of all facilities;
      4. Evaluate identified hazards and unsafe working conditions;
      5. Facilitate correction of all identified hazards and unsafe working conditions in a timely manner;
      6. Ensure accident investigations are completed, and corrective action is followed up on in a timely manner;
      7. Communicate information and updates to employees on safety concerns;
      8. Implement and participate in a safety committee, as appropriate;
      9. Maintain all safety-related documentation including training records, inspections, corrective action, and safety

communication;

10. Develop general and specific safety guidelines for their department;
11. Review completed accident investigations;
12. Review completed safety inspections; and,
13. Ensure unsafe conditions and practices are corrected.

d. Fire Officers and Supervisors

i. Fire Officers and (shift and incident) Supervisors have the responsibility to:

1. When assigned by the Fire Chief or IIPP Administrator, conduct safety orientation and training;
2. Conduct accident investigations immediately upon notification of an injury;
3. Conduct safety inspections of their work areas;
4. Ensure all employees know, understand, and follow established safety guidelines;
5. Correct unsafe conditions and practices;
6. Maintain material and equipment in good condition; and,
7. Ensure all personnel have been provided the necessary personal protective equipment and train employees in its use.

e. Employees

i. District employees have the responsibility to:

1. Follow all written and verbal safety instructions;
2. Report all injuries, no matter how minor, to their supervisor;
3. Accomplish their duties using safe work practices;
4. Coach fellow employees on safe work practices, whenever appropriate;
5. Notify a Fire Officer or supervisor in the event of an observed unsafe condition or unsafe act; and,
6. Perform only authorized jobs.

- 4) All employees are responsible for using safe work practices; following all directives, policies, and procedures; and for assisting in maintaining a safe work environment.
- 5) The system to ensure all employees comply with these practices includes the following:
  - a. Informing employees of the provisions of this IIPP in a readily understandable language;
  - b. Training all employees on general safety policies, rules, and work practices;

- c. Recognizing employees who perform safe and healthful work practices;
  - d. Providing additional training to employees whose safety performance could be improved or is deficient; and,
  - e. Disciplining employees for failure to comply with safe and healthful work practices.
- 6) Central Calaveras Fire and Rescue Protection District recognizes that open, two-way communication between management and staff on health and safety issues is essential for an injury-free, productive workplace. The District shall use the following systems of communication designed to facilitate a continuous flow of safety and health information between management and staff in a form that is readily understandable.
- 7) Employee Safety Meetings
  - a. The IIPP Administrator shall ensure that employee safety meetings are held before or after scheduled training sessions. The focus of these meetings shall be on relevant, safety-related information to further inform and educate personnel on safe work practices.
  - b. The IIPP Administrator shall ensure each safety meeting is documented. Documentation shall include topics and issues presented or discussed and a list of employees in attendance. The IIPP Administrator shall ensure these meeting notes are retained in accordance with the Record Keeping section below.
- 8) Notification Procedures
  - a. It is the responsibility of each employee to immediately inform his or her manager, supervisor, or the IIPP Administrator of any hazards, unsafe conditions, or unsafe work practices in the work site. Employees shall direct any safety-related questions or concerns to a Fire Officer, supervisor, or the IIPP Administrator without fear of reprisal in any form.
- 9) Postings
  - a. The IIPP Administrator shall ensure a Safety Bulletin Board is installed at the Headquarters fire station and is used to post safety-related information accessible to all employees. The Safety Bulletin Board consists of:
    - i. Emergency phone numbers (e.g., police, fire, etc.);
    - ii. Emergency evacuations maps;
    - iii. Names and phone numbers of the IIPP administrator and other designated after-hours contacts; and,
    - iv. Complete set of required federal and state employee posters.
- 10) Anonymous Reporting
  - a. A reporting form shall be available to all employees in an accessible

location to anonymously report any safety hazards, unsafe conditions, or unsafe work practices. These forms may be turned in to the administrative in-box or placed in the Fire Chief's office. The IIPP Administrator shall ensure each completed form becomes part of the subsequent evaluation and corrective action file.

#### 11) Safety Committee

- a. The Safety Committee shall be composed of the IIPP Administrator, one or more Fire Officers, and one or more employees of other classifications. The IIPP Administrator shall schedule and hold Safety Committee meetings when necessary to review and resolve potential or existing safety concerns, address new safety requirements, or evaluate and develop corrective action to prevent recurrence of an accident, injury, or unsafe condition.
- b. The IIPP Administrator shall appoint a secretary to record meeting notes summarizing discussions, decisions, and other actions considered or taken during the meeting. The IIPP Administrator shall ensure the meeting notes are retained in accordance with the Record Keeping section below.

#### 12) Hazard Assessment

- a. Periodic inspections provide a method of identifying existing or potential workplace hazards so they can be eliminated or controlled.
- b. Fire Officers or Supervisors shall ensure completion of documented safety inspections of work areas under their supervision each month to identify any potential or actual hazards or unsafe working conditions and practices. These inspections shall be documented using a Safety Inspection Checklist and turned into the IIPP Administrator.
- c. In addition, the IIPP Administrator shall ensure an inspection is conducted when new substances, processes, procedures, or equipment that presents potential new hazards are introduced into the workplace.
- d. Employees are encouraged to report possible hazardous situations and are assured that their reports shall be given prompt and serious attention without fear of reprisal. Whenever possible, it is the intent of the District to immediately abate any hazard that gives rise to a risk of imminent harm.
- e. The IIPP Administrator shall ensure all completed Safety Inspection Checklists are retained in accordance with the Record Keeping section below.

#### 13) Accident Investigation

- a. Thorough investigation of all accidents, exposures, illnesses, and near misses help the District identify causes and necessary corrections and may help determine why and where accidents occur and any accident trends.

Such information is critical to preventing and controlling hazards and potential accidents.

- b. Employees must report all accidents and injuries immediately, by telephone or in person, to a Fire Officer, Supervisor, Fire Chief, or the IIPP administrator. The Fire Officer or Supervisor and IIPP Administrator shall perform an investigation of each workplace accident or hazardous substance exposure in a timely manner, using an Accident Investigation Report form.
- c. The following steps should be taken, as appropriate to the incident, when performing an accident investigation (some of which may be performed during Safety Committee meetings):
  - i. Visit the accident scene as soon as possible;
  - ii. Interview injured employees and witnesses;
  - iii. Examine the workplace for factors associated with the accident or exposure;
  - iv. Determine the cause of the accident or exposure;
  - v. Take corrective action to prevent the accident or exposure from recurring; and,
  - vi. Record the findings and corrective actions taken on the Accident Investigation Report form.
  - vii. The IIPP Administrator shall verify each Accident Investigation Report is complete, accurate, and shows corrective actions were effectively implemented. Accident Investigation Reports shall be retained permanently in accordance with the Record Keeping section below

#### 14) Hazard Correction

- a. Unsafe or unhealthy work conditions, practices, or procedures must be corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected as follows:
  - i. When Hazard is Abated**
    1. The IIPP Administrator shall inform employees that a hazardous situation was corrected (or was not hazardous), thereby creating a “closed-loop” process that encourages employees to continue to report hazards promptly. This may be accomplished during an Employee Safety meeting or by posting a notice on the Safety Bulletin Board between meetings.
  - ii. When an Imminent Hazard Exists that Cannot be Immediately Abated Without Endangering Employees and/or Property**

1. The Fire Chief or IIPP Administrator shall remove all exposed employees from the area except those necessary to correct the existing condition. Employees assigned to correct the hazardous condition shall be provided with the necessary personal protective equipment.
  - b. The IIPP Administrator shall ensure all actions taken for hazard correction are dated, documented, and retained in accordance with the Record Keeping section below.
- 15) Training and Instruction
- a. Awareness of occupational safety and health hazards and knowledge of how to prevent or control such hazards is essential for a safe and healthful work environment in this District. The IIPP Administrator shall ensure safety and health training sessions are designed to instruct employees regarding the potential hazards associated with particular jobs, job practices, and operations.
  - b. The IIPP Administrator shall ensure that safety and health training be given to the following:
    - i. All employees when the IIPP is first established;
    - ii. All new employees thereafter;
    - iii. All employees given a new job assignment for which training has not previously been provided;
    - iv. Any employees affected by the introduction of new substances, procedures, or equipment into the workplace;
    - v. All affected employees when new or previously unrecognized hazards are discovered; and,
    - vi. Fire Officers and Supervisors to familiarize them with safety and health hazards to which employees under their immediate direction and control may be exposed.
  - c. Training and instruction to groups or individuals may be provided in one or more of the following ways:
    - i. Formal and informal safety meetings and discussions;
    - ii. Distribution and review of the IIPP;
    - iii. Other written communications, programs, and postings; or,
    - iv. Other methods, which provide instruction in a form readily understandable to all affected employees.
  - d. Heat Illness Training
    - i. Employee training. Effective training in the following topics shall be provided to each supervisory and non-supervisory employee before

the employee begins work that should reasonably be anticipated to result in exposure to the risk of heat illness:

1. The environmental and personal risk factors for heat illness, as well as the added burden of heat load on the body caused by exertion, clothing, and personal protective equipment.
  2. The employer's procedures for complying with the requirements of this standard.
  3. The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties.
  4. The importance of acclimatization.
  5. The different types of heat illness and the common signs and symptoms of heat illness.
  6. The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers.
  7. The employer's procedures for responding to symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary.
  8. The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider.
  9. The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders. These procedures shall include designating a person to be available to ensure that emergency procedures are invoked when appropriate.
- ii. Supervisor training. Prior to supervising employees performing work that should reasonably be anticipated to result in exposure to the risk of heat illness effective training on the following topics shall be provided to the supervisor:
1. The information required to be provided to employees above.
  2. The procedures the supervisor is to follow to implement the applicable provisions in this section.
  3. The procedures the supervisor is to follow when an

employee exhibits symptoms consistent with possible heat illness, including emergency response procedures.

4. How to monitor weather reports and how to respond to hot weather advisories.

## 16) Heat Illness Prevention

### a. Provision of water.

- i. Employees shall have access to potable drinking water.
- ii. Where drinking water is not plumbed or otherwise continuously supplied, it shall be provided in sufficient quantity at the beginning of the work shift to provide one quart per employee per hour for drinking for the entire shift.
- iii. Employers may begin the shift with smaller quantities of water if they have effective procedures for replenishment during the shift as needed to allow employees to drink one quart or more per hour. The frequent drinking of water shall be encouraged.

### b. Access to shade.

- i. Shade required to be present when the temperature exceeds 85 degrees Fahrenheit.
  1. When the outdoor temperature in the work area exceeds 85 degrees Fahrenheit, the employer shall have and maintain one or more areas with shade at all times while employees are present that are either open to the air or provided with ventilation or cooling.
  2. The amount of shade present shall be at least enough to accommodate 25% of the employees on the shift at any time, so that they can sit in a normal posture fully in the shade without having to be in physical contact with each other. The shaded area shall be located as close as practicable to the areas where employees are working.
- ii. Shade required to be available when the temperature does not exceed 85 degrees Fahrenheit.
  1. When the outdoor temperature in the work area does not exceed 85 degrees Fahrenheit employers shall provide timely access to shade upon an employee's request.
- iii. Employees shall be allowed and encouraged to take a cool-down rest in the shade for a period of no less than five minutes at a time when they feel the need to do so to protect themselves from overheating. Such access to shade shall be permitted at all times.



- c. High-heat procedures. The employer shall implement high-heat procedures when the temperature equals or exceeds 95 degrees Fahrenheit. These procedures shall include the following to the extent practicable:
    - i. Ensuring that effective communication by voice, observation, or electronic means is maintained so that employees at the work site can contact a supervisor when necessary. An electronic device, such as a cell phone or text messaging device, may be used for this purpose only if reception in the area is reliable.
    - ii. Observing employees for alertness and signs or symptoms of heat illness.
    - iii. Reminding employees throughout the work shift to drink plenty of water.
    - iv. Close supervision of a new employee by a supervisor or designee for the first 14 days of the employee's employment by the employer, unless the employee indicates at the time of hire that he or she has been doing similar outdoor work for at least 10 of the past 30 days for 4 or more hours per day.
- 17) The IIPP Administrator shall ensure all safety and health training is documented, and the training records are retained in accordance with the Record Keeping section below.
- a. Safety and health training documentation shall include:
    - b. Employee's name;
    - c. Training date;
    - d. Type of training; and,
    - e. Person, company, or organization that provided the training.
- 18) Record Keeping
- a. Central Calaveras Fire and Rescue Prevention District documents the implementation and maintenance of this IIPP in the following manner:
    - i. Documentation of all safety and health training for each employee, including his or her name, training dates, type of training, and training providers;
    - ii. Documentation of all Employee Safety meetings, including topics addressed and names of employees who attended;
    - iii. Documentation of inspections (Safety Inspection Checklists), including the person(s) conducting the inspection and the unsafe conditions and work practices that were identified and resolved;
    - iv. Documentation of the action taken to correct unsafe conditions and work practices;

- v. Safety Committee meeting notes; and,
- vi. Documentation of investigations of accidents, illnesses, exposures, and near misses that identify the root cause and corrective action taken to prevent recurrence – Accident Investigation Reports and associated documents are retained **permanently**.

19) Unless otherwise specified in this IIPP or other District policy, the above records shall be retained in secure (locked) files in Station One for a period no less than three years.

Employees shall acknowledge receipt and review of District Policies in Central Fire's Training Management System (Target Solutions) and The Knowledge Management System (KMS).

## **Funeral-Team-Guidelines.pdf**

## **Firefighter Funerals.pdf**

**Pre-Employment and Promotional  
Examination Process .pdf**

# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

## PRE-EMPLOYMENT AND PROMOTIONAL EXAMINATION PROCESSES

- a) The pre-employment or promotional examination process may consist of the following:
  - 1. A written test to determine knowledge and skills. The District may prepare written tests in-house or utilize the services of a testing agency. In either case, candidates shall be provided with study materials and/or test resource information.
  - 2. A physical skills examination to determine the physical ability of the candidate to perform the essential job functions of the position.
  - 3. A medical examination to determine the candidate's ability to safely perform the essential job functions of the position.
  - 4. An oral and/or assessment lab evaluation.
  - 5. An interview with the Chief of the District or his representative.
  - 6. A psychological evaluation.
  - 7. A background investigation.
  - 8. A California Motor Vehicle Operator's License record review.

b) Any portion of the examination process may be waived by the Fire Chief of the District.

c) Qualified members of the Central Calaveras Fire District Volunteer Division may be awarded In-Service Points based on time-in-service, qualifications, and performance evaluations.

In-Service Points shall be added to the combined sum of all the testing elements.

d) Character of examinations:

- 1. There shall be no questioning of any applicant during testing procedure for employment by this District as to applicant's race, religion, political affiliation, color, disability, creed or any other personal attributes or opinions as may be protected by Federal or State Law.
- 2. Examinations may be written, oral, or in the form of a practical demonstration of skill and ability or any combination of these. The examination shall be practical in nature and shall be constructed to reveal the capacity of the candidate for the particular position for which she/he is competing, as well as general background and related knowledge. Any test of technical knowledge, manual skill, or physical and mental fitness and any investigation of education, experience, character or identity which in the judgment of the District serves to this end, may be employed.
- 3. Examination types may include:
  - a) Practical written tests as an integral part of the examination process, except where this provision is waived at the discretion of the Chief of the District.
  - b) A qualifying performance test for positions requiring minimum levels of ability may be required at the discretion of the Chief of the District, or certification of a level of proficiency may be required in lieu of a performance examination.

# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

- (1) A rating for training and experience for the more responsible positions.
- (2) A qualifications appraisal for positions requiring frequent contact with the public, or which involve important supervisory or administrative duties.
  - (a) If training and experience form a part of the total examination, the District shall determine a procedure for the evaluation of the training and experience qualifications. Such procedures shall give due regard to the quantity of experience, its recency and quality and the pertinence of the training to the position in consideration. The procedure shall permit the substitution of training for experience and experience for training within the limits stated in the class or position specifications. Experience as herein defined may not be limited to paid experience or experience gained while employed by this agency. The District may conduct any investigations of applicant's training or experience and the character and fitness of such, which may be necessary to verify and/or clarify statements contained in the application.
  - (b) In examinations where education, experience and personal qualifications of candidates are to be rated as part of the total examination, the District may appoint one or more qualification appraisal boards as needed. Such boards may consist of persons known to be interested in the improvement of public administration and in the selection of efficient government personnel. At least one member of each board shall be technically familiar with the character of the work in the position for which applicants are being examined. If possible all applicants qualifying for the same position shall be rated by the same qualifications appraisal board.
- e) The Chief of the District may limit the announcement of promotional examinations to current qualified employees.
- f) The Chief of the District shall make announcement of all pre-employment examinations at least thirty (30) days in advance of the closing date for receipt of applications. Announcement shall be posted in appropriate places throughout the District and copies may be sent to newspapers, educational institutions, professional and vocational societies, public officials, and to such other organizations and individuals as the Chief and/or District Board of Directors deem appropriate.
- g) Examination announcements may include:
  1. Information concerning the time for filing applications
  2. A description of the duties and responsibilities of the position classification
  3. Minimum or additional desirable qualifications
  4. Salary and other compensation
  5. All of the conditions of competition including relative weights assigned to various parts of the examination, the scope of the written test and reference to the rating method.

# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

- h) No person shall be admitted to any examination except upon acceptance of application for such examination submitted in the manner prescribed below.
  - 1. All applications shall be made upon official blanks furnished by the District, completed as directed and filed in the personnel office of the District on or before the closing date specified in the examination announcement or acceptable postmark.
  - 2. A separate and complete application shall be necessary for admission to each examination. All applications must be signed and the truth of all statements contained therein certified by such signature under penalty of perjury.
  - 3. All applications are confidential records of the District, and under no circumstances will they be returned to the applicant.
  - 4. Faxed applications will not be accepted unless specifically identified in the announcement process.
- i) The District may refuse to examine an applicant or eligible candidate, or after examination may disqualify such applicant, or remove her/his name from an eligible list, or refuse to certify any person on an eligible list for failure to meet the conditions set forth. A candidate or eligible may be disqualified if the applicant or eligible candidate:
  - 1. Is found to lack any of the preliminary minimum requirements established for the class or position.
  - 2. Is so disabled as to be rendered unable to perform the essential functions of the position with or without reasonable accommodations.
  - 3. Is currently addicted to the use of narcotics or alcohol.
  - 4. Has been convicted of a felony crime or any crimes involving moral turpitude.
  - 5. Has made a false statement of material facts in her/his application.
  - 6. Has used or attempted to use political pressure or bribery to secure an advantage in the examination or appointment.
  - 7. Has directly or indirectly obtained information regarding examinations to which, as an applicant, is not entitled.
  - 8. Has failed to submit the application correctly or within the required time limits.
  - 9. Has taken part in the compilation, administration or correction of the examination.
  - 10. Is classified in the position for which application for examination is being submitted.
  - 11. Has otherwise violated provisions of these rules.
- j) A disqualified applicant shall be promptly notified of disqualification. In the case of disqualification because of failure to meet the minimum requirements, the applicant shall be notified by mail to last known address sufficiently in advance of the examination to allow for submission of additional evidence to the District, if possible.
- k) Examinations shall be conducted as follows:
  - 1. The District shall designate the place where and the conditions under which any examination is to be conducted.
  - 2. The District may select such monitors as are necessary to conduct the examinations



# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

under the proscribed instructions.

3. Suitable methods of identification will be required of all examinees to participate in the examination, including the possession of a picture identification, such as a driver's license.
  4. All reasonable attempts shall be made to protect the identity of each participant in a written examination until after the written tests have been scored and the passing mark set. Any examination paper on which the name of the applicant is revealed may be rejected. In the case of rejection, the District shall promptly notify the examinee.
  5. The District will make reasonable accommodations as required to allow all qualified candidates the opportunity to participate in any examination process.
- l) Examination Scoring:
1. The District may assign definite weights to each part of the examination and such weights shall be included in each announcement of the examination. The weights and scoring of the examination may be adjusted after consideration of the character of the Examination, the source group and the overall results of the Examination process.
  2. Written tests will be scored and passing score determined before scores are identified with candidates. The passing score shall be determined by giving consideration to test difficulty, quality of competition, needs of the District and other pertinent factors. Unless otherwise specified in the examination announcement, on written tests which are weighted part of the total examination, the passing score may be assigned a rating of 70 on a 100 point rating scale and other scores shall be assigned a rating proportionately. The rating of 70 referred to above may be the same, below or above an arithmetic 70% of the total possible score.
  3. The District may establish, for each examination, or any portion thereof, a minimum passing rating or score. The rating, or score, may be set forth in the announcement of examination together with a reference to these rules. Failure by a candidate to attain a passing rating in any portion of the examination shall eliminate such candidate from competing in any further portion of the examination. Any candidate so eliminated shall be notified in writing.
  4. The rating or score of a candidate in the qualifications appraisal procedure shall be the average of the rating assigned by each individual rater. If the candidate receives a majority of passing ratings, the candidate will be considered to have passed in the portion of the examination. Conversely, if the candidate receives a majority of failing ratings, they shall be considered as having failed in the part of the examination and not permitted to participate in the next phase of examination. However, the candidate's actual score for the Examination will be the average of all passing scores for each portion of the examination provided for in the examination announcement.
- m) Reviews of tests shall be conducted as follows:

# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

1. A key copy of any written Examination created by this District, and used for any District examination process, showing the correct response for each item may be made available for inspection to persons competing in the examination.
  2. The key will be available for review for five (5) business days beginning the first business day following the administration of the examination.
  3. Any examinee may protest, in writing, to the District any item they consider incorrectly or inappropriately keyed. The protest must identify the item, page number, the reason an authority in support of the candidate's position.
  4. The protest period shall be for three (3) business days following the close of the review period. Protests will not be accepted after the protest period. Any protest which fails to set forth the reason and authority supporting the candidate's position will not be considered.
  5. The Chief, or his authorized representative, shall rule on the recommendations and shall notify the protesting examinee or examinees of the decision. If this decision has an adverse impact on other participants in the examination, they shall be notified in writing of the decision and the effects of that decision. the decision of the Chief, or his authorized representative, shall be final. The test key from which the test papers are to be scored will be made to conform to this decision.
- n) Any competitor in an examination may inspect his test paper, together with the keyed copy of the written test, beginning on the second business day following the mailing date of the "Notice of Written Test Results". The review period will be five business days, except where the examination process includes an oral test. In the event of an oral test portion of the examination, the examinee may inspect their test paper up to and including the date of such oral test. During this period an examinee may submit, in writing, to the District a protest concerning the scoring of their test paper on the grounds of fraud or a mistake. The Chief, or his authorized representative, shall rule on the protest and the decision shall be final.
1. When a written protest is filed, the Chief, or his authorized representative, shall rule on said protest within a reasonable period of time and shall mail notice of ruling to said protestant or protestants. Within five business days following mailing any affected examinee may file an appeal with the District. The appeal must be in writing and must set forth clearly and concisely the reason and authority for the appeal. The Fire Chief or his authorized representative shall rule on the appeal and the test key or test papers shall be made to conform to this decision.
  2. When a test is contracted by the District with an independent vendor, the District is obligated to comply with all terms of the contract with the vendor which may preclude any review or protest of all or portions of the examination.
  3. During a period beginning on the second business day following the mailing of "Notification of Examination Results" and continuing for ten business days, the Chief,

# CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

or his representative, shall upon written request, inform any competitor in such examination of the rating for training and experience and personal fitness received by said competitor.

- o) Examination papers, eligible lists, applications and other records pertaining to examinations shall be open for inspection under the conditions set forth herein:
  - 1. The keyed copy of any written examination and written test papers submitted by competitor are the property of the CCFRPD.
  - 2. A competitor's paper shall be open to inspection by himself or herself, authorized legal representative, when authorized in writing, the appointing authority or designated representative.
  - 3. The unauthorized copying of questions or answers by any person from any paper made available for inspection is forbidden and may result in cancellation of eligibility, disqualification, disbarment from future examinations, or other appropriate disciplinary action.
- p) From the statements of the results of any examination, the Chief, or his representative, shall establish an eligibility list for each position within the District.
  - 1. A report shall be prepared from the results of each phase of the examination reflecting the names of the applicants or candidates, those persons rejected for lack of minimum or prerequisite qualifications, the percentage rating of each examinee for each phase of the examination. The report shall indicate the total weighted percentage score and the order of rank of each examinee whose total weighted score is above the established pass points.
  - 2. If two or more successful examinees on a promotional exam have identical total scores, they shall be ranked in the order of their date of hire. They shall be listed from the senior employee in descending order.
  - 3. If two or more successful examinees on an entry examination have identical total scores, they shall be ranked in the order of the date their application was received, from the application received first in descending order to application received last.
  - 4. Eligibility lists or any remaining portions of such lists shall be automatically cancelled and the names removed from such lists on the expiration.
  - 5. The Chief of the District, or his representative, may, based upon substantiated evidence, revise or remove names from the eligibility list in the following manner and for the following reasons:
    - a) Revise the list whenever it becomes evident that an error or mistake has occurred in the preparation of the list and thereby place the candidates in their proper order to correct the error. In the event a name had improperly been omitted from or included on the list, the correction may be made in the same manner.
    - b) The names of the eligible candidates may be removed from the list for any of the following reasons:

## CENTRAL CALAVERAS FIRE AND RESCUE PROTECTION DISTRICT

6. Failure to meet any provisions of this policy or [District] requirements.
  7. On evidence that the eligible cannot be located by postal authorities.
  8. If one offer of appointment to the class for which the eligibility list was established was declined by the eligible.
  9. Upon separation from employment with the District.
  10. Whenever any eligibility list is revised or cancelled or any candidate is removed from the list, those candidates shall be notified following the action by regular mail to the last known address of District records.
  11. Whenever any eligible is removed from the eligibility list, candidates shall be notified of action to be taken at least five days prior to the action, in writing and stating the reasons for such action and shall further notify the eligible of the right to appear and be heard if the eligible wishes to contest the proposed action.
- q) The probationary appointment of an entry or promotional candidate shall be only from an approved eligibility list.
1. Candidates will be interviewed from the eligible list, and the District reserves the right to select any candidate it determines to be best qualified for the position. In the case of promotions within the represented classification, the Rule of Three will apply, that is, the Chief shall select one of the top three candidates. A candidate whose name is among the top three considered for promotion may not be passed over more than two times when being considered for the same or like position.
  2. The eligibility list may be effective for two years from the date of promulgation, unless otherwise determined by the Fire Chief of the District.
  3. For further information regarding probationary status and appointment to a regular status position see the Probationary and Regular Appointments Policy.

## **Local Government Records Management.pdf**

# Central Calaveras Fire & Rescue Protection District Policy Manual

CCFRPD Policy Manual

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