



**MESCAL J-6  
FIRE DISTRICT**

**STANDARD OPERATING  
POLICY # 020**

*Corrective Action / Disciplinary Process*

**I. PURPOSE**

To promote a safe, harmonious, and efficient work force.

**II. SCOPE**

This policy applies to all members of the Mescal-J6 Fire District

**III. POLICY**

It is the policy of the MJFD to provide a work environment that encourages freedom of thought, expression and conduct, as long as these actions support our mission and are consistent with our efforts to provide customer service excellence. It is also our policy to provide a harmonious, challenging, and positive work environment. Additionally, the District shall approach member performance deficiencies in a positive and supportive manner, geared toward helping the member achieve success with improvement efforts. However, there may be times when performance and/or conduct may require some form of corrective or disciplinary actions to achieve these ends. The use of the corrective action policy does not alter the at-will status of all members.

**IV. GUIDELINES**

- A. It is the policy of the Mescal-J6 Fire District to administer discipline in a positive, corrective and progressive manner.

**Positive** in that we will take the approach that most instances of negative performance are correctable to a positive outcome with a minimum of supportive reinforcement.

**Corrective** in the sense that the officer and member come to an understanding about the causes and/or reasons for a member's performance deficiencies, correct those deficiencies, and restore the member to a productive and positive level of performance.

**Progressive** in that corrective measures will normally begin with verbal counseling or a verbal reprimand, and when circumstances warrant, proceed to written reprimand(s), suspension, and dismissal. Dependent on the nature or severity of an incident of misconduct, any of these forms of disciplinary action may be taken, whether or not a lesser form has preceded the action.

- B. This policy sets forth the norms of the discipline process, but allows for the District to exercise discretion in determining the degree of the discipline to be administered.
- C. Corrective action procedures shall be administered privately and confidentially, and within a reasonable time frame following the infraction.
- D. In the event that a member feels subjected to unfair corrective or disciplinary action, the member may file an appeal as set forth below.



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- E. In a situation in which further investigation into an incident is deemed necessary, the member may be placed on **Administrative Suspension**. The officer shall attempt to discuss the situation with the Fire Chief prior to placing a member on administrative suspension. However, if the officer is unable to contact the Fire Chief, the officer may then initiate such action and later shall notify the Fire Chief at the first possible opportunity for determination of the appropriate course of further action. Any such suspension shall be ordered in writing, and shall not be considered as corrective action; thus, it shall not be subject to appeal.
- F. All corrective actions shall be kept in the member's personnel file for the tenure of his employment.

**V. PROGRESSIVE DISCIPLINE PROCEDURES**

- A. Often times the initial step prior to corrective action may be a **verbal counseling discussion** between the officer and the member to provide the member with an understanding of the problem and set forth a course of action to achieve satisfactory performance or conduct. The officer may initiate such action, but shall document the conversation and maintain such record in his own supervisory files.
- B. In the event that an officer determines a need for corrective action, he shall document it and forward it to the Fire Chief for review and determination of appropriate action.
- C. The Fire Chief shall review any recommended corrective action. Such review shall occur within 60 days of the date of receipt of the documentation. The Fire Chief may opt to investigate and/or interview the individual who is the subject of the corrective action, and/or any possible witnesses. In the event that any member is requested to appear before the Fire Chief, he shall be notified in writing. Upon decision of the level of corrective action to be taken, the Fire Chief shall notify the individual in writing.

***Corrective Action Steps***

- D. The first step in the corrective action process may be the issuance of a **Verbal Reprimand**, documented in writing, describing the problem or incident(s) and how to attain the desired performance, and summarizing the course of action being taken, as well as the potential for further action. The documentation is to be placed in the member's central personnel file.
- E. The officer may elect to use a **Written Reprimand** to document a repeat offense of an infraction, or a more serious single infraction for which suspension or dismissal may not be warranted. This shall be documented in writing, describing the nature of the problem, any previous or related conversations or actions (if applicable), as well as the behavior or performance needed to correct the problem and the potential for further action. The document is to be signed by the member and the officer and placed in the member's central personnel file. Additionally, a copy of the documentation shall be provided to the member.



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- F. If a member's conduct or performance is deemed severe enough, a member may be placed on a **Disciplinary Suspension**, during which the member shall not be allowed to participate in District activities, trainings, or calls. In such a situation, the Fire Chief will determine the length of the disciplinary suspension. The disciplinary suspension action shall be documented in writing, describing the nature of the problem, any previous or related conversations or actions (if applicable), as well as the behavior or performance needed to correct the problem. The record is to be signed by the member and the Fire Chief and placed in the member's central personnel file. Disciplinary Suspension shall not exceed six calendar months. In the event of a Disciplinary Suspension, the member shall be required to turn in all District equipment.
- G. If the member's conduct or performance is deemed severe enough, or the determination is made that the member has been unable to or unwilling to achieve a satisfactory level of performance, the most serious action to be taken shall be **Dismissal**. The Fire Chief shall approve all dismissal/termination decisions.

It is to be noted that while progressive discipline is generally afforded, certain violations or conduct may be deemed severe enough to warrant immediate termination without prior steps being taken.

If it is determined that continuation of volunteer employment is not in the best interest of the member or the District, all facts, conversations, and actions shall be thoroughly documented and submitted to the Secretary of the Board with termination paperwork for processing of the termination.

**VI. APPEALS PROCEDURE**

- A. A non-probationary member who believes he has been disciplined unjustly may appeal a disciplinary suspension or a dismissal. Within 15 calendar days of notification, the member must file a written appeal to the Fire Board, documenting the reason for the appeal, and any related information.
- B. The Fire Board shall have 30 calendar days to consider the appeal and make a final ruling. This shall be done in a District Board meeting, following all the laws pertaining to such. The Fire Board may uphold, modify or dismiss the decision of the Fire Chief. All parties shall be notified in writing of the Fire Board's decision, which shall be final and binding.

Approved by the Mescal-J6 Fire District Governing Board on May 4<sup>th</sup>, 2015. Replaces February, 2012