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CITY OF CHARLOTTETOWN FIRE DEPARTMENT ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE: **DISCIPLINE**

ORIGINATING DATE: **1997**

EFFECTIVE DATE: **JUNE 1, 1997**

REVISION DATE: **FEBRUARY 2, 2008**

REVISION DATE: **JUNE 4, 2015**

REVISION DATE: **OCTOBER 27, 2016**

APPROVED BY: **FIRE DEPARTMENT MANAGEMENT TEAM**

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General:

Recognizing there may be the rare occasion when a member fails to meet the requirements of the general orders, procedures, standard operating guidelines & regulations of the Department or City of Charlottetown. The Department has established a fair and constructive discipline procedure.

Scope:

These procedures apply to all active, retired and former volunteer members of the Department.

Disciplinary procedures involving a career member of the Department will be carried out by the Deputy Fire Chief as per the terms of the collective agreement.

Intent:

While it is important to take disciplinary action when required, it is just as important that the procedure be fair and constructive. If a member improves performance and solves the problem causing disciplinary action to be taken, the member is likely to maintain a good performance level if given the opportunity.

Authority:

The authority and responsibility to discipline a volunteer member of the Department shall be entrusted to the Deputy Fire Chief and District Chief(s).

Discipline is intended to be constructive in correcting a member's unacceptable conduct or work performance.

Procedures:

Prior to undertaking of the formal discipline procedure the District Chief will ensure that the member has been advised of the procedures of this policy and is aware of the actions, which may be taken.

Warnings:

Under normal circumstances, first disciplinary offences will be administered in the form of a documented verbal warning, followed by a written warning for repeat offences or more serious violations that could lead to a suspension or other actions outlined by this policy.

Documentation:

All incidents of disciplinary action shall be properly documented on the appropriate form, by the Deputy Fire Chief or District Chief taking the action. A copy of each completed form shall be maintained on the members personnel file by the Deputy Fire Chief.

If a member's performance improves after disciplinary action all documentation will be administered as outlined below.

1st offence - all record of the offence becomes inactive after **1** year.

2nd offence - all record of the offence, becomes inactive after **2** years.

Procedures:

The extent of which various steps in the discipline procedures are followed will depend upon the nature of the problem. On occasions where a District Chief may have doubt about the proper course of disciplinary action, he/she should first discuss the matter with the Deputy Fire Chief.

Hearing:

If the offence is not corrected following the issuance of a written warning the member shall appear before all members of the "Station Management Team" for a hearing at a time and place to be established by the District Chief. The "Station Management Team" shall review the facts of the offence and decide if any further disciplinary measures are found to be necessary, such further action may include the member being suspended for an established period of time without pay.

Suspension:

The suspension of a member from duty may occur as a result of a number of incidents and not necessarily be based on a repeat of the same misconduct or non-observance of the department policies and/or guidelines.

Discharge:

Where repeated efforts to correct a members conduct fail, discharge from the department may follow. Several incidents of a minor nature or a first offence of a serious nature may also result in the dismissal of a member from the department.

Discharge:

Conduct considered sufficiently serious for the discharge of a member from the Department includes but are not limited to:

- a) Wilful misconduct, disobedience or insubordination.
- b) Wilful neglect of duty or gross violation of the Department's general orders, procedures or standard operating guidelines.
- c) Abuse of department apparatus or equipment.
- d) Intoxication or impairment by alcoholic beverages, illegal drugs or medications during any operational activity, response, training, duty crew, etc.
- e) Unethical or criminal actions, including theft from the department, its members or the general public.
- f) Failure to maintain the required attendance at fire and emergency calls and scheduled training.
- g) Failure to maintain required training time.
- h) Violation of a City Policy, act of harassment or Provincial Human Rights Act.

Serious Incident:

The following steps shall be used if a serious incident should occur or if efforts to correct a member's conduct have failed:

- a) The Deputy Fire Chief or District Chief shall gather all pertinent facts and verify their accuracy;

Exception: In the event that the District Chief is directly involved in the incident they shall remove themselves from the next steps and have the next ranking officer conduct the following actions:

- b) Inform the member of the time and place he/she is to appear before the “Station Management Team”;
- c) Inform the member of the details of the incident, along with a copy of the “Member’s Disciplinary Incident Report.” FIRE DEPARTMENT – ADMINISTRATIVE PROCEDURE
- d) Inform the “Station Management Team” of the information outlined in the above incident;
- e) The “Station Management Team” shall hear the circumstances of the incident and shall determine what the course of action shall be taken. The “Station Management Team” shall present its findings in writing to the member.

Appeal Process:

The “Department Management Team” shall hear the appeal of a member when requested to do so. The request for an appeal shall be in writing to the Fire Chief.

The Fire Chief upon receiving a request for an appeal shall call a meeting of the “Department Management Team” within 10 days of the request for an appeal.

The “Department Management Team” shall review the facts of the case and may call the member in question or any other member of the department to appear before the Team. The member shall have the right to have a senior officer or other member of the department of their choosing, present at the appeal hearing.

After hearing the appeal the “Department Management Team” may:

- a) Uphold the findings of the “Station Management Team”;
- b) Overrule the findings of the “Station Management Team”;
- c) Adjust the ruling of the “Station Management Team” or any disciplinary actions of the “Station Management Team”.

The ruling of the “Department Management Team” in regard to an appeal shall be final.