

Volume I: Administrative Policy



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Superstition Fire & Medical District

Volume I – Administrative Policy

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 <p>Administrative Policy</p>	Series: 100	Volume I: Administrative Policy
	100.00: Employment Law	
	Effective Date:	Revision Date:
	Approved by:	

Series 100

Employment Law

 Administrative Policy	Series: 100	Volume I: Administrative Policy	
	100.01: Fair Employment / Anti-Discrimination / Retaliation		
	Effective Date: 2005		Revision Date: 2005
	Approved by: Administrative Services		

Policy

The Superstition Fire & Medical District (SFMD) and its employees will not discriminate on the basis of age, race, color, sex, religion, national origin, disability, or sexual orientation. All employees, managers, supervisors, and job applicants are guaranteed equal employment opportunities. No person or employee, regardless of title or position, has the authority, expressed, actual, apparent or implied, to discriminate against an applicant, employee, vendor, supplier, or stakeholder of the SFMD. Furthermore, SFMD prohibits retaliating against any individual who lodges a good-faith complaint regarding discrimination, or who participates in any related investigation.

Disability Discrimination

SFMD will base decisions regarding recruitment, hiring, selection, training, promotion, termination or other terms, conditions, or privileges of employment on a candidate's qualifications and job-related knowledge, skills and abilities. SFMD prohibits, forbids, and does not tolerate discrimination against any qualified individual with a disability.

All qualified individuals with a disability are guaranteed the same employment opportunities as other employees or applicants. The SFMD prohibits verbal, physical, or visual conduct that belittles or demeans any qualified individual with a disability.

Reasonable Accommodation

Reasonable accommodation requests shall be made in writing through the employee's supervisory chain of command. The requesting employee must be specific as to the exact accommodation they are requesting. Upon receipt of a reasonable accommodation request, the employee's supervisor and a human resources representative will meet with the requesting individual to discuss and identify the need and the potential accommodation. Physician or other medical/health professional validation of a disability may be required before accommodations are made.


Employees making requests for reasonable accommodations should make their requests as early as possible to ensure adequate time for consideration and validation of the need. SFMD will determine the feasibility of the request with regard to the nature and cost of the accommodation, the accommodation's impact on the operations of the SFMD, including its impact on the ability for other employees to perform their duties. Upon approval of a request, a reasonable accommodation agreement that outlines the details of the agreed accommodation should be drafted and signed by the parties.

False Reporting

The SFMD recognizes that making false accusations of discrimination in bad faith can have serious consequences for both accuser and those wrongly accused. SFMD prohibits deliberately making false and/or malicious discrimination allegations, as well as deliberately providing false information during an investigation.

Reporting Procedure


Any person who has been discriminated against, witnessed an act of discrimination, or been subject to retaliation is to report such activity to the appropriate Section Manager, HR, and/or the Fire Chief immediately. This reporting procedure is in addition to and supplements the reporting provision set forth in [Duty to Report Violations](#).

 Administrative Policy	Series: 100	Volume I: Administrative Policy
	100.02: Immigration Reform Control Act	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

After November 6, 1986, all applicants, prior to being hired by the SFMD, should be required to provide verification that the applicant is either a United States citizen or an alien authorized to work in the United States.

Once hired, both the applicant and the SFMD should sign a government form ([I-9 Form](#)) verifying that the individual properly established U.S. citizenship or authorization to work in the country. The SFMD should retain the verification form for at least three (3) years after the applicant is hired or for one (1) year after the date of termination.

 Administrative Policy	Series: 100	Volume I: Administrative Policy
	100.03: Loyalty Oath	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	


Policy

Per [A.R.S. §38-231](#), employees of the SFMD are required to complete a loyalty oath upon acceptance of an offer of employment. The required oath reads as follows:

State of Arizona, County of _____


I, _____ do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of _____ (name of office) _____ according to the best of my ability, so help me God (or so I do affirm).

(Signature of officer or employee)

 <p>Administrative Policy</p>	Series: 101	Volume I: Administrative Policy
	101.00: Conditions of Employment	
	Effective Date:	Revision Date:
	Approved by:	

Series 101

Conditions of Employment


 Administrative Policy	Series: 101	Volume I: Administrative Policy	
	101.01: Pre-Employment Medical Exams and Releases		
	Effective Date: 2005	Revision Date: 2005	
	Approved by: Administrative Services		

Purpose

To outline a process for the administration of annual medical exams required for public safety employees and compliance with NFPA 1582 standards for medical examinations.

Policy

- A. Public safety employees are required to pass a pre-employment medical examination as a condition of employment and prior to assuming their job duties. The medical examination will determine if the employee possesses the physical and mental capabilities that will allow them to successfully perform the essential functions of the job classification.
- B. Public safety employees are required to receive an annual medical examination by the SFMD's physician or contract provider to ensure they are fit for duty as outlined in NFPA 1582. The annual medical examination is required throughout employment with the SFMD.
- C. Public Safety employees are required to be examined by the SFMD's physician. The SFMD will determine the standards, which must be adhered to in order to successfully pass said medical examination. National Fire Protection Association Standard 1001 - Medical Requirements for Fire Fighter Candidates will be used as a guide.
- D. All former employees considered for re-hire with a previously disclosed injury/illness and/or disability are required to provide a medical release form a licensed physician determining their ability to perform essential functions of the job.
- E. The SFMD will bear the expense for the pre-employment medical examinations for full-time employees.
- F. Medical releases required throughout the SFMD policy manual should detail an employee's physical and/or mental tolerance with regards only to limitations and/or restrictions determining his or her ability to perform the essential functions of their job.


 Administrative Policy	Series: 101	Volume I: Administrative Policy	
	101.02: Pre-Employment Substance Abuse Testing		
	Effective Date: 2005		Revision Date: 2005
	Approved by: Administrative Services		

Purpose

To inform future and current employees of the SFMD policy on substance abuse testing.

Policy

- A. All applicants for employment must take and pass a pre-employment panel test for substance abuse as a condition of employment.
- B. The SFMD also requires substance abuse testing based on a reasonable suspicion and where necessary, follow up random testing on a case-by-case basis.
- C. Refer to [102.32: Substance Abuse](#) for complete policy on substance abuse SOG.

 Administrative Policy	Series: 101	Volume I: Administrative Policy	
	101.03: Smoking		
	Effective Date: 2005		Revision Date: September 2017
	Approved by: Administrative Services		

Purpose

The Superstition Fire & Medical District (SFMD) recognizes it is poor practice to attempt to prohibit employees from partaking in legal activities while off-duty; however we encourage all personnel to adopt a healthy lifestyle which may include abstaining from tobacco products. This policy outlines requirements to prohibit smoking in SFMD buildings, property and vehicles.

Policy

- A. Smoking is prohibited in all SFMD facilities, fire stations, district properties, and district vehicles.
- B. All workplace areas shall be smoke-free. Smoke-free is defined as: “no tobacco or other plant smoke and freedom from inhaling environmental tobacco smoke (ETS) or passive smoke, including secondhand smoke generated by an active smoker or side stream smoke or fumes from any such burning material, device or ashtray that continues to emit such tobacco smoke or fumes from lighted or extinguished smoking materials.”
- C. Smoking is prohibited in all conference rooms, meeting rooms, classrooms, lunchrooms, employee lounges, restrooms, and waiting areas, including hallways, and stairways.
- D. E-cigarette usage is also prohibited in all district facilities and vehicles.
 - a. For the purpose of this policy, an “E” cigarette means:
 1. An electronic cigarette.
 2. An electronic nicotine delivery system (ENDS).
 3. A personal vaporizer.

Enforcement

Employees observing a customer or another employee smoking should politely inform them that the facility is designated “smoke-free” and ask them to step outside. The supervisor in charge should be informed of situations of non-cooperation.

Smoking Cessation

The US Surgeon General has said, “Smoking cessation [stopping smoking] represents the single most important step that smokers can take to enhance the length and quality of their lives.”

It’s hard to quit smoking, but you can do it. To have the best chance of quitting and staying a non-smoker, you need to know what you’re up against, what your options are. [Click here](#) for help or call Human Resources for more information.

Board Approval:




Gene Gehrt, Board Clerk

October 18, 2017

Date

BOD #: **2017-10-06**

 Administrative Policy	Series: 101	Volume I: Administrative Policy
	101.04: Outside Employment	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	


Purpose

To provide direction to employees concerning outside employment when a conflict could occur.

Policy

Employees of the SFMD may maintain a second job if:


- A. There is no conflict of working hours.
- B. The employee's efficiency is not reduced.
- C. The outside employment does not reflect negatively on the SFMD.
- D. This includes participation, either volunteer or paid, with any emergency service. It is prohibited for any member of the SFMD to join or become a member of another emergency service organization that results in a conflict with their obligations to the SFMD.

 <p>Administrative Policy</p>	Series: 102	Volume I: Administrative Policy
	102.00: Personnel Rules	
	Effective Date:	Revision Date:
	Approved by:	

Series 102

Personnel

Rules

 Administrative Policy	Series: 102	Volume I: Administrative Policy		
	102.01: Updating and Revising Policy, SOG's, and Procedures			
	Effective Date:	March 2014	Revision Date:	August 2017
	Approved by: Administrative Services			

Policy

Policies and procedures may be reviewed, revised and updated for several reasons. Some revisions for example, will occur by virtue of growth and development as internal processes and procedures naturally change over time. Other reviews will be conducted as a means of review and audit for older policies to ensure they continue to accurately reflect the most current practices.

No policy/SOG should exceed five years without a formal review and update. In other cases, any employee or section manager can request a policy be reviewed. When necessary, the following progression is intended to outline a systematic method by which policies, procedures, and operational guidelines are reviewed and revised.

Process

1. Fire Chief will delegate policy, procedure or SOG to the respective program or section manager for review, research and/or update.
2. Program/Section Manager reviews and provides recommendations to the document. A draft copy is then sent to the Playbook Committee.
3. Playbook Committee proofs, formats, reviews and researches the proposed draft. The committee will also ensure accessory documents are properly hyperlinked. The draft is then sent back to the Program/Section Manager for review.
4. Following Program/Section Manager approval, Administrative Services will email the draft document with proposed changes to all employee's SFMD email for internal review and comment, for a period of at least two weeks (14 days). Comments will be directed to the respective Program/Section Manager, HR and Playbook Committee Chair.
5. Following the 14 day review period, the Senior Leadership Team (SLT), giving consideration to any comments received, will determine a disposition of the draft. Dispositions may include "approval and adoption" or "pending" further review by SLT, Labor or the Playbook Committee.
6. Following the necessary revisions, SLT will accept and approve the final draft subject and submit changes to be included on the next Governing Board Agenda.
7. The SFMD Governing Board will vote for final approval of each policy and the volume(s) will be immediately updated with inclusion of a signature by the Clerk or Chairman of the board. Administrative Services will then make the appropriate notification to all employees after the policy/SOG has been published on the website.
EXCEPTION: The SFMD Board of Directors will approve all drafts intended for inclusion in Volume X, from the beginning of the process.

Volume Information


Volume	Section	Section Manager
I	Administrative Policies	Administrative Services
II	Emergency Operations	Emergency Services
III	Transportation & Medical Services	Emergency Services
IV	Fire & Medical Training	Emergency Services
V	Special Operations	Emergency Services
VI	Fire Prevention	Community & Financial Services
VII	Public Education	Community & Financial Services
VIII	Fleet Services	Emergency Services
IX	Finance	Community & Financial Services
X	Board of Directors	Board of Directors

Board Approval:


Gene Gehrt, Board Clerk

August 11, 2017
Date

BOD #: 2017-08-11


 Administrative Policy	Series: 102	Volume I: Administrative Policy		
	102.02: Recruitment			
	Effective Date:	March 2015	Revision Date:	January 2015
	Approved by:			Administrative Services

Purpose

The Superstition Fire & Medical District (SFMD) is committed to being the premier Fire District in Arizona. To accomplish this goal the organization is committed to being an employer of choice and remaining competitive in the fire service industry. Recruiting, hiring and retaining the most-qualified employees are central to this vision.

Policy

- A. In the event of authorized position vacancies at the SFMD, consideration will be given to the number of currently employed qualified candidates.
- B. When sufficient internal candidates exist, as is often the case with Engineer, Captain and other public safety ranks; the position may be opened to internal candidates only.
- C. In cases where a sufficient number of qualified internal candidates may not exist, at the Fire Chief's discretion, a job announcement for a vacant position may be simultaneously posted internally and externally.
- D. Job announcements will generally be posted on the district's website, via internal and external email lists, social media, at district facilities, etc.
- E. District employees participating in a recruitment process involving external candidates will be required to complete the same application process as all other applicants.
- F. Job announcements will be posted for a minimum 14 calendar days. At the Fire Chief's discretion, recruitment efforts may be extended for as long as necessary to secure the best candidate.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.03: Classification Plan	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

To inform all interested parties of the processes by which positions are created and administered within the classification plan.

Policy


The Fire Chief, in cooperation with department heads and/or a person or agency employed for that purpose, and/or Human Resources should ascertain and record the duties and responsibilities of all positions in the classified service and should recommend a classification plan for such positions.

The classification plan should consist of classes of positions in the classified service defined by class specifications, including job titles. The classification plan should be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

The classification plan should be adopted and may be amended, revised or revoked, from time to time by the Fire Chief. Following the adoption of the classification plan, the Fire Chief, with the advice of the section managers and Human Resources, should assign every position in the classified service to one of the classes established by the plan. When a new position is created, the classification plan should be amended to provide for such position.

Reclassification

Positions, the duties of which have changed materially so as to necessitate reclassification, should be allocated by the Fire Chief with recommendation by Human Resources, to a more appropriate class, whether new or already created.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.04: Compensation and Benefits	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

The Fire Chief in coordination with Section Managers and/or a person or agency employed for that purpose, should prepare a compensation plan adopted concurrently with the annual budget of the SFMD covering all classes or positions in the classified service. In arriving at salary rates or ranges, consideration should be given to prevailing rates of pay and consideration of working conditions for comparable work in other public and private employment, to current cost of living, to suggestions of section managers, to the SFMD's financial condition and policies, and to other relevant factors.

A. Adoption of Plan

The compensation plan should be adopted and may be amended, revised or revoked, from time to time by action of the Governing Board.

B. Application of Rates

Employees occupying a position in the classified service should be paid a salary or wage established for the position's class under the compensation plan as provided by the Classification Plan. The minimum rate for the class generally should apply to employees upon original appointment. However, when circumstances warrant, the Fire Chief may authorize original appointment or reinstatement at other than the minimum rate.

When an employee is under-filling a position or otherwise given a temporary assignment and does not possess all the necessary qualifications of the position appointed to, upon recommendation of the section manager that the employee has thoroughly mastered all qualifications necessary, the employee may be eligible for the salary and title established for that position.

Procedure

When an employee accepts a position in a higher job class the pay rate should become the step in the new class that provides at least a 5% increase or placed at the top step if a 5% gain is not achieved.

A. Advancement

No salary advancement should be made so as to exceed any maximum rate established in the pay for the class to which the advanced employee's position is allocated.

Advancement should not be automatic, but should depend upon increased service value of an employee to the SFMD as exemplified by recommendations of the supervisor, length of service, performance record, special training undertaken, or other pertinent evidence within the advancement policy established by the compensation plan.

B. Fair Labor Standard Act

The SFMD complies with FLSA regulations. The SFMD may, amend, revise or revoke, from time to time, its work period or payroll calculations as permitted by the FLSA.

1. Under the Federal Fair Labor Standards Act (FLSA), non-exempt personnel that are not first responder personnel are compensated at time and one-half the regular rate of

pay for hours worked in excess of 40-hours in a week. Time off for sick leave and vacation, or any absence will not be considered hours worked in calculating overtime.

2. The Federal Fair Labor Standards Acts allows a longer "work period" or "work week" for first responder personnel. The SFMD compensates first responder shift employees for overtime under the [Department of Labor Rules and Regulations 29 U.S.C. 207K](#).
3. The SFMD has established executive, administrative, professional, computer professional, and highly compensated positions that are exempt from the overtime provisions of the Federal Fair Labor Standards Act. The exempt employees must meet duty and salary criteria testing established by the U.S. Department of Labor to determine their exemption status.
4. Improper pay classifications and/or deductions are prohibited. If an employee believes that an improper pay classification/deductions has occurred they should notify Financial Services immediately, improper pay classifications/deductions will be reimbursed. The SFMD is committed to FLSA compliance.

C. Benefits

The SFMD provides benefits for all full-time employees and their eligible dependents. Benefits for employees that are not required by law should be approved by the Governing Board on an annual basis. Coverages currently are as follows and may be amended, revised or revoked from time to time and may be further subject to requirements or limitations imposed by the provider.

Health/Dental Insurance

The following eligibility requirements must be met to qualify for group health/dental insurance benefits:

- A. Full-Time Employment & Part-Time Employment (20 hours +) *need board approval
- B. Eligible Dependent(s). The SFMD will only provide health / dental insurance coverage through its primary group insurance contract provider. Employees and their dependents who reside outside the insurance provider service area will be responsible for providing their own insurance coverage. The SFMD will not provide any additional or supplemental insurance coverage, reimburse employees for any expense related to insurance coverage or provide funding for any additional insurance coverage.
- C. The SFMD will provide the employee's cost of group health / dental insurance at no cost to the employee. The SFMD will establish a cost annually for dependent coverage and may pay all, part or none of this cost depending on the budgetary and financial needs of the SFMD. The portion of the dependent group health insurance costs for which the employees should be responsible should be determined by the Governing Board per recommendation of the group plan administrator, on an annual basis and may be paid by the employee in equal installments from each payroll check. Enrollment of dependents are subject to the terms and conditions of the SFMD's primary group health / dental insurance contract provide or by the group plan administrator's recommendation and approved by the Board (self-funded).
- D. Continuation of insurance coverage is available through the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) in the event of any qualifying event. Employees and eligible dependents who exercise their rights under COBRA will be charged the entire premium cost plus a 2% administration fee. COBRA coverage is subject to the terms and conditions of the law.

Life Insurance

The SFMD provides life insurance and accidental death and dismemberment policies as a benefit for all

full-time employees. Benefits are subject to all terms and conditions of the SFMD's life insurance provider.

Employee Assistance Program

The SFMD provides an employee assistance program as a benefit for all employees. The EAP provides employees with a confidential professional counseling service for personal matters. Because of its confidential nature, the EAP is not part of the SFMD's reporting procedures as set forth in section 128. Benefits are subject to all terms and conditions of the SFMD's employee assistance program provider. Refer to complete policy on SFMD mandated EAP referrals for job performance difficulties.

Public Safety Employee Retirement

In accordance with [A.R.S. §38-841](#), Public Safety Personnel Retirement System, the SFMD provides a uniform, consistent and equitable state-wide retirement program for all full-time public safety personnel who are regularly assigned hazardous duty in the employ of the State of Arizona, or a political subdivision thereof. Retirement benefits are subject to the terms and conditions of the law.

Civilian Retirement

In accordance with [A.R.S. Title §38, Chapter 5](#), Arizona State Retirement System, the SFMD provides retirement and other programs for all full-time civilian employees. Retirement benefits are subject to the terms and conditions of the law.

Deferred Compensation Plan

The SFMD provides a 457 deferred compensation supplemental retirement plan to all full-time employees. Participation in the plan is voluntary. Deferred compensation benefits are subject to the terms and conditions of the law and the SFMD's plan provider.


Worker's Compensation

In accordance with the Arizona Workers' Compensation Law ([A.R.S. Title 23, Chapter 6](#)) all employers with one (1) or more employees must carry workers' compensation insurance. Coverage for all employees begins at time of hire. Workers' Compensation coverage is subject to the terms and conditions of the law.

Flexible Spending Account

The SFMD provides a flexible benefits plan to all full-time employees. Benefits included qualified under Section 106 of the Internal Revenue Code are the following:

- A. Medical/Vision Insurance
- B. Dental Insurance
- C. Life and Personal Accident Insurance
- D. Disability Income – Short Term
- E. Accident Insurance
- F. Cancer Insurance
- G. Hospital Indemnity Insurance
- H. Group Term Life Insurance
- I. Specified Health Event

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.05: Probationary Status	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Original Appointment Following Probationary Period

All original appointments to positions within the classified service should be tentative and subject to a probationary period. Civilian employees are subject to a probationary period of not less than 12 months of actual service. Public Safety employees are subject to a period of not less than twelve 12 months of actual service. The supervisor, in cooperation with the Fire Chief, may establish a longer probationary period, not to exceed an additional six (6) months.

B. Objective of Probationary Period

The probationary period should be regarded as a part of the testing process and should be utilized for closely observing the employee's work, performance of duties, job dedication, and for securing the most effective adjustment of a new employee to the position.

C. Termination of Probationer

During the probationary period, a new employee may have their employment terminated at any time by the supervisor, with the approval of the Fire Chief, without cause and without right of appeal. Notification of termination in writing should be forwarded to the probationer and a copy filed in the employee's personnel file.


D. Full-Time Employee Status

An employee's performance will be evaluated by the appropriate supervisor at least ten (10) days prior to the expiration of the employee's probationary period. After a review of performance, the Fire Chief or their designee will either extend the probationary period, terminate employment, or grant the employee permanent status.

E. Seniority

Upon original appointment to employment with the SFMD an employee's seniority will be computed from the hire date.

1. In those situations when an employee is promoted, demoted, or moves laterally within the organization, the date of appointment to the new position will become their new anniversary date for evaluation and promotional salary considerations.
2. When more than one individual is appointed on the same date their listing by seniority should be in descending rank order by their total testing score.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.06: Tuition Reimbursement	
	Effective Date: August 2013	Revision Date: August 2013
	Approved by: Administrative Services	

Purpose

SFMD is dedicated to providing professional development opportunities for all employees and recognizes this development of its employees as an important element of its organizational mission. Each employee's individual growth is distinguished as a contributing factor to the growth of the fire district. This program provides financial assistance for courses that are required to expand the employee's knowledge and improve overall job skills, by preparing employees to meet the job-related requirements for the other fire district positions, or to complete a college degree program that is beneficial to the fire district.

Policy

- A. To qualify for tuition reimbursement, full-time civilian/public safety employees must have successfully completed initial regular employment probation prior to the first day of the course.
 1. Tuition will be reimbursed for the following types of training or education:
 - a. Coursework that is directly job-related or expands the employees overall job skills.
 - b. Coursework that will allow the employee to become more promotable with the fire district.
 - c. Coursework that is required for a degree (Associates, Bachelors, Masters, or Doctoral) in a curriculum program.
 - d. Coursework that is a beneficial skill set for SFMD, determined by the Fire Chief.
- B. All tuition reimbursement is subject to budget availability and discretion of the Fire Chief or designee. The Fire Chief or designee may prioritize approval of this program and limit tuition reimbursement funds to employees whose degree programs are in the line with and more closely support the district's written mission and strategic initiatives.
- C. Tuition will be reimbursed only for schools of which accreditation has been awarded from one of the following accrediting associations: Northwest Association, Middle States Association, New England Association, North Central Association, Southern Association, Western Association, or the accrediting association affiliated with the type of course offered. Accreditation information is available from each school.
- D. A change to the approved original request for Pre-Approval Form (for courses added or dropped) must be submitted within 30-days of the course start date using an additional Request for Pre-Approval Form.

Reimbursement

- A. Upon submission of all required paperwork, an employee may be reimbursed for tuition fees.

- B. For those courses that were preapproved by the Fire Chief or designee prior to start of the course.
- C. Upon course completion and verification of grade requirements.
- D. Proof of paid tuition fees for the course(s) from the school or school's website or payment receipt, grade report, and completed Request for Reimbursement Form must be submitted to the HR Office.
- E. Employees must receive a "C" grade or higher in a course given by an accredited college, university, or authorized technical/trade/business school. Pass or fail classes are not reimbursable. Reimbursement will be paid at 100% for an A grade, 80% for a B grade, and 70% for a C grade.
- F. Copy(ies) of the official grade report(s) and request for reimbursement must be submitted within 45-days from the end date of the course. Some graduate level programs may set higher standards for continued enrollment; therefore, the fire district will follow the grade standard set by the university.
- G. The maximum amount of reimbursement per employee will be \$7,800 per fiscal year. All 100 and 200 level classes will be based on the tuition rates of Central Arizona College, no matter what university or institution they are taken. All 300 level, 400 level, and graduate level courses will be paid at the tuition rates of the attending university.
- H. Employees shall not be reimbursed for the cost of normal academic expenses such as administration fees, lab fees, books, recreation fees, etc.


The amount of reimbursement should be reduced by any financial assistance the employee receives from any outside source. However, Veteran's Administration assistance and student loans are not considered financial assistance for purposes of reimbursement. When applying for tuition reimbursement, the employee must notify the HR Office or designee of any financial assistance received from outside sources other than Veteran's Administration assistance or student loans.

Repayment


Employees who voluntarily terminate employment within 24-months from the date the tuition reimbursement check was issued should be required to reimburse the fire district. Employees will be required to repay the paid amounts prorated at 1/24 per month, retirement is considered a voluntary termination. Repayment of tuition will not be required for employees who are dismissed or resign in lieu of dismissal.

Policy

- A. Employer-paid expenses for coursework are taxed, if applicable, based on the current IRS Code Section 127 policies.
- B. The SFMD has the right to audit the employee's educational and financial records that may be contained in the employee's records at the institution attended. Any right that the employee may have pursuant to the [Family Education Rights and Privacy Act of 1974](#), or any similar act, are waived by acceptance of tuition reimbursement.
- C. There will be no exceptions to this policy regardless of the extenuating circumstances; therefore, there will not be an appeals procedure.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.07: Educational Requirements	
	Effective Date: October 2014	Revision Date: December 2015
	Approved by: Fire Chief	

Position/Title	Current Minimum Requirements / Years of Experience	Future Minimum Requirements / Years of Service	Current Required Certifications	Future Required Certifications	Compliance Date
Firefighter	High School Diploma / GED / No Exceptions	No Changes	EMT / CPAT	No Change	Current
Fire Engineer	3 Years Consecutive Service with SFMD	No Changes	None	Certificate of Completion – Driver / Operator (Prerequisite)	January 2017
Fire Captain	5 Years Consecutive Service with SFMD	Associate's Degree – Fire Science, Business, or related field and 5 Years Consecutive Service with SFMD	None	None	January 2016
Battalion Safety Officer	Same as Fire Captain	Associate's Degree – Fire Science, Business, or related field and 5 Years Consecutive Service with SFMD	ISO (Within 1 year of assignment)	No Change	January 2016
Battalion Chief	Associate's Degree – Fire Science / 2 Years as a SFMD Captain	Bachelor's Degree – Fire Science, Business, or related field and 7 Years Consecutive Service with SFMD / 2 Years as a SFMD Captain	None	CFO (Within 3 years of promotion)	January 2018
Division Chief	Associate's Degree – Fire Science / 2 Years as a SFMD Captain	Bachelor's Degree – Fire Science, Business, or related field and 7 Years Consecutive Service with SFMD / 2 Years as a SFMD Captain	None	CFO (Within 3 years of promotion)	January 2018
Assistant Chief	Bachelor's Degree / 3 Years in a Management Position with SFMD	Bachelor's Degree Fire Science, Business or related field and 10 years consecutive service with SFMD / 2 years as a BC/DC	None	CFO (Within 3 years of promotion)	January 2016

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.08: Hiring of Relatives and Significant Others	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

To establish policy concerning the employment of relatives and significant others, which will enable the SFMD to maintain a positive business environment, free of preferential treatment because of family ties.

Policy

A. Definition of Relative and Significant Other

The spouse, child, child's child, parent, grandparent, brother or sister of the whole or half-blood and their spouses, and the parent, brother, sister or child of a spouse. The SFMD defines a significant other as one who is not related by marriage but are in a similar relationship or living arrangement regardless of sexual orientation.

B. Employment of Relatives and Significant Others

No SFMD employee shall be permitted to directly supervise another relative or significant other as defined in this policy under normal circumstances.


C. Marital or Similar Relationships

Employees who become relatives or significant others after their hire shall not be in the line of supervision. One of the two employees will be transferred or reassigned through an appropriate vacancy in accordance with SFMD employment policy. If no resolution has been reached within 180 days, the Fire Chief will determine which employee's involuntary termination will cause the least impact to SFMD operations.

D. Responsibility

It is the responsibility of the Fire Chief and supervisors of the SFMD to monitor and assure compliance with this policy. All existing relationships shall be identified and reported in writing to the Governing Board on an annual basis. Any future changes in relationships to which this policy applies will be reported to the Governing Board in writing within fifteen days of such changes.

This policy is not retroactive. (For additional information concerning the state statute on nepotism please consult [A.R.S. §38-481](#).)

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.09: Method of Filing Vacancies	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Types of Appointments

All vacancies in the classified service may be filled by transfer, promotion, demotion, re-employment, reinstatement, or from the appropriate employment list or other qualified applications. Current employees should be given first consideration to fill a vacancy.

B. Return to Original Position

An individual who is presently employed with the SFMD and whose appointment constitutes a promotion, or a transfer, should serve a twelve (12) month probationary period in the new position. If during the probationary period an employee fails to perform the duties of the position satisfactorily, they may be returned to their former position or transferred to a similar position if available, at the discretion of the Fire Chief.

Exception: In cases where the position was filled by demotion or transfer for disciplinary reasons the Fire Chief may terminate the employee.

C. Employment Lists

The Fire Chief should keep available applications for a period of one (1) year of all persons applying for positions with the SFMD.

When examinations are given, a list of candidates who scores qualify, arranged in order of final scores, will be kept.

D. Duration of Lists

Employment lists and applications may remain in effect for one (1) year, unless sooner exhausted, and may be extended prior to expiration dates, by action of the Fire Chief for additional periods, but in no event should an employment list remain in effect for more than two (2) years.

E. Removal of Names from List

The name of any person appearing on an employment or promotional list should be removed by the Fire Chief upon the written request of the eligible person; if the eligible person fails to respond to a notice of eligibility by phone, email, or mailed to the last known address, or for any of the reasons specified in these rules. The names of persons on promotional employment lists who resign from the service should automatically be dropped from such lists.

F. Nature and Types of Examinations


The selection techniques used in the examination process should be impartial, of a practical nature, and should relate to those subjects which fairly, without discrimination or favoritism, measure the relative capacities of the persons examined to execute the duties and responsibilities of the class to which they seek to be appointed. Examinations should consist of validated selection techniques to which will test fairly the qualifications of candidates. The Fire Chief along with HR will select the appropriate examination process.

G. Promotional Examinations

Promotional examinations may be conducted whenever, in the opinion of the Fire Chief, the needs of the SFMD require. Only employees who meet the minimum requirements set forth in the promotional examination announcement may participate in promotional examinations.

H. Notification of Examination Results

Each candidate in an examination should be given phone, email, and mail notice of the results thereof.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.10: Transfer, Promotion, Demotion, Suspension, and Reinstatement	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Transfer

No employee should be transferred to a position for which the employee does not possess the minimum qualification. Transfer should not be used to effectuate a promotion, demotion, advancement, or reduction, each of which may be accomplished only as provided in these rules.

B. Promotion

Insofar as consistent with the best interest of the SFMD, vacancies may be filled by promotion from within the classified service. See [102.09: Method of Filing Vacancies](#) for more information.. If, in the opinion of the Senior Leadership Team the vacancy in the position could be filled better by an open recruitment instead of promotion, then Human Resources should arrange for such recruitment and examination for the preparation of an employment list.

C. Demotion

The immediate supervisor with the approval of the Section Manager, HR, and the Fire Chief, may demote an employee whose performance falls below standard or for disciplinary purposes.

1. The employee must receive advanced written notice of the proposed action to demote, no less than six (6) days prior to the effective date. The employee must receive advance written notice of the proposed action. This notice must:
2. Include the date of the demotion will be effective and the specific grounds and particular facts upon which the action is predicated.
3. Inform the employee of their right to respond to the proposed action and their right to receive a copy of the written materials used to support the action.
4. Recommendation from HR
5. Advise the employee that they may appeal this decision in writing to the Fire Chief within five (5) calendar days of the receipt of notification.

D. Suspension

The immediate supervisor through the Fire Chief may suspend an employee from any position at any time for a disciplinary purpose. Suspension without pay in excess of one (1) work day requires no less than six (6) days advance written notice of the proposed action this notice must:

1. Include the date the suspension will begin and for how long a period it will last, along with the specific grounds and particular facts upon which the action is predicated.
2. Inform the employee of their right to respond to the proposed action and their right to receive a copy of the written materials alleged to support the action.


3. Advise the employee that they may appeal this decision to the Fire Chief within five (5) days of the receipt of notification.
4. Suspension without pay should not exceed thirty (30) calendar days, nor should any employee be penalized by suspension for more than thirty (3) calendar days in any fiscal year. Supervisors may suspend a subordinate employee for not more than three (3) working days at any one (1) time, and not more than once in a thirty (30) calendar day period. Suspensions over three (3) days should be approved by the Fire Chief.

E. Administrative Leave

The Fire Chief at his discretion may impose administrative suspension when it will be in the best interest of the District. The Fire Chief may impose administrative leave when, in the discretion of the Fire Chief it would be in the best interests of the SFMD.

F. Reinstatement

Within the discretion of the Senior Leadership Team (SLT), a full-time employee who should resigned with a good record may be reinstated within twelve (12) months of the effective date of resignation to a vacant position in the same or comparable class. Upon reinstatement, the employee for all purposes should be considered as though they have received an original appointment and is subject to probation.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.11: Work Criteria – Public Safety / Shift Assignments	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Work Schedules

The SFMD recognizes a 48/96 schedule. The normal work week will average approximately fifty six (56) hours consisting of a combination two (2) consecutive twenty four (24) hour shifts on duty and four (4) consecutive twenty four (24) hour shifts off duty.

Shift change for public safety / 24 hour shift assigned employees should be 0700 hours. Personnel are to arrive no sooner than 0645 hours, and be in uniform with all personal equipment available and prepared to respond promptly at 0700 hours.

All employees should work as scheduled and not leave their assigned duty post until properly relieved.

Members unable to report for duty as scheduled should notify the on-duty Battalion Chief or the Battalion Safety Officer (BSO) at their assigned station least one hour prior to their scheduled duty time.

Absence Without Official Leave (AWOL): An employee who fails to call off for duty will be considered absent without official leave. In the event a member is absent from duty, the on-duty Battalion Chief should be notified immediately. Employees absent without leave for two (2) consecutive shifts will be subject to the disciplinary process.

B. Work / Shift Assignments

Shift assignments are made on the basis of adequate staffing to fill required positions within the organization. It may be necessary to adjust employee's schedules on a temporary or permanent basis to deliver services. Every attempt will be made to provide adequate notice to affected employees. Shift personnel may be assigned to a forty (40) hour work week at the discretion of the Fire Chief.

C. Out of Class Pay – See [102.48 Temporary – Acting Assignment](#)

D. Work Trades

Shift personnel may engage in work trades with other employees. Work trades are arrangements between employees, reviewed and approved by the Battalion Chief, and are a privilege extended to the employees.

1. Any employee may be denied the privilege of using a work trade by the supervisor at any time.
2. A work trade may be revoked at any time prior to twenty-four (24) hours before the exchange.
3. A maximum of seventy-two (72) hours may be worked in a consecutive time period.
4. The employee initiating the work trade must ensure the proper paperwork is completed prior to the work trade. Failure to do so will result in disciplinary action.

5. Employees must follow established administrative directives and procedures for using work trades.
6. Employees who are scheduled to work a holiday will be compensated for that holiday instead of the employee actually working as a result of a work trade.
7. Hours accrued as a result of work trades are not eligible for overtime compensation.
8. Probationary employees are not permitted to participate in work trades during their first six (6) months of employment.

E. Change of Shifts

All shift personnel should make every attempt to have their station and apparatus in a mission ready state by 0645 for the on-coming shift.

F. Rest and Recuperation

Sleeping on duty should not be allowed between 0700 and 1700 hours. Exception: with station officer's approval between 1200 & 1300 hours in sleeping quarters only. Sleeping hours may be adjusted for special circumstances in the interest of personal safety due to overtime and response demands. Sleeping in areas of the station other than the bunk room is not allowed.

G. Medical Examinations

Annually medical examinations will be scheduled on-duty days.

The SFMD will bear the expense for the annual medical examination for full-time public safety employees.

H. Overtime

This policy defines various overtime categories used for tracking and defines the steps in filling necessary positions when vacancies occur. All overtime must be approved and authorized by the supervisor prior to the work. Calls for service that extend over shift change time are an exception. All overtime requires written documentation describing reason for the overtime, appropriate authorization or signature, and is the responsibility of the employee.

Shift Holdover

Shift holdover in excess of seven (7) minutes will be compensated in 15 minute increments, but the employee should remain at the worksite during the time of compensation.

Non-emergency Overtime

Non-emergency overtime refers to all overtime not otherwise specified. Overtime required due to the negligence of the employee should be compensated, with overtime, for actual time worked.

Training

Required meetings, required training sessions, and required drills that occur outside an employee's regularly scheduled shift will be considered non-emergency overtime. Meetings, training sessions, and drills that occur outside and Shift holdover in excess of seven (7) minutes will be compensated in 15-minute increments, but the employee should remain at the worksite during the time of compensation. Employee's regular shift that are optional or elective, will not compensable.

Call Shifts

Call shifts should be all other overtime worked in excess of 8 hours (continuously) and should be paid at the rate of 1-1/2 times the employee's base rate.

The District will maintain a "call list" containing the names and qualifications of any regular, non-probationary, (excepting promotional probation) full-time employees who wish to be included. This call list will be used to assign extra shift work. Employee desiring to be added to the call list, and employees who have completed probation will be added to the bottom of the call list.

To be eligible to for call shifts, the employee must have worked their last scheduled shift, unless on approved vacation leave. Individuals on injury leave or illness leave must have returned to work before being eligible for overtime.

The process for call shifts should be as follows: a staff member will send out a message specifying the time and date of the overtime, the position to be filled, and a "response required by" time (i.e. "captain, 24-hours, June 28, respond by 10:15 hour June 25".) A second message will be sent specifying who has been assigned to the overtime. (i.e. Jones, Capt. June 28, 24 hours.) The name of the person assigned to the overtime will be moved to the bottom of the call list if the opening is more than 8 hours. The employee is responsible for fulfilling his/her commitment once assigned.

The overtime will be offered the person closest to the top of the call list and who is in the same job group as the person first creating the overtime. If no one from the job group responds/offers to work the overtime, the employee who responded to the callout, and is closest to the top of the call list, will be awarded the overtime, provided the employee is qualified.


When an employee comes in for a call shift, and the situation changes resulting in not needing the call-back, the employee will receive a minimum of two (2) hours of work and will not be moved to the bottom of the call list.

Procedures for mobilizing and demobilizing for wildland callout and other non-SFMD, non-mutual aid emergency assignments are defined in other areas of policy or directive.

The District should maintain a list of those employees who have requested notification of such opportunities and the types of assignments for which they qualify.

Employees who are on the wildland team and who have requested to be contacted per this policy, will be assigned using the call list.

If any assignment for wildland callout or other non-District, non-mutual aid emergency results in more than eight (8) hours at the overtime rate of pay, the employee will be moved to the bottom the call list upon his or her return.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.12: Work Criteria – Civilian & Administrative Staff / 40-Hour Public Safety Staff	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	


Policy

The normal work week should be 40-hours consisting of 10 hour work days Monday through Thursday. No employee should be permitted to work in excess of 40-hours per week except when an emergency exists or overtime work is necessary to carry out normal and essential service. Overtime must be pre-approved by the employee's direct supervisor. Overtime is considered any hours worked over 40 hours during a seven (7) day work week.

Exception: Senior administrators and professionals including public safety command staff members who are FLSA exempt positions.

A. Work Schedule

1. Civilian employees should arrive no sooner than 0645 hours and be ready to start the work day at 0700 hours. Employees who are assigned to a 40-hour flex schedule may be excluded at the direction of the Fire Chief.
2. Non-exempt FLSA employees receive one (1) hour for lunch and should work out lunch schedules between them. Supervisors may need to reschedule employees lunch hours at their discretion in order to provide telephone coverage for the administrative office(s).
3. Non-exempt FLSA employees are also permitted two (2) 20-minute breaks – approval 20-minute breaks scheduled equally during the mid-morning and mid-afternoon work periods.
4. Beginning and ending the work day at other times is not permitted except with approval of the employee's supervisor.
5. The Fire Chief may adjust employees work schedules to accomplish the SFMD's mission.

 Administrative Policy	Series: 102	Volume I: Administrative Policy	
	102.13: Uniform and Grooming		
	Effective Date: 2005	Revision Date: 2005	
	Approved by: Administrative Services		

Policy


A. General Uniform Regulations

The SFMD strives to have its employees represent the community which it serves in a professional manner. Employees may be required to wear a uniform dependent upon their current job classification and assignment. The Fire Chief will designate the employees required to wear uniforms. Supervisors are responsible for ensuring their subordinate employees maintain a neat and professional appearance whether they are required to wear a uniform or not.

1. Each eligible employee will receive an annual uniform allowance. The amount will be set by the SFMD's Governing Board through the budgetary process. The amount will be paid in two installments, with half the amount paid to the employee in July and the remainder in January of each fiscal year.

B. General Grooming

1. Hair will be worn in a conservative style. Employees assigned to emergency response activities will maintain their hair in such a manner that it does not interfere with personal protective equipment (PPE) or pose a safety hazard. Employees may pin their hair up to conform to these policies. At no time will employees whose duties include emergency response activities be permitted to wear their hair in a manner that interferes with the operation of self-contained breathing apparatus or other required safety equipment.
2. No foreign items may be attached to, or otherwise be a part of the hair itself for those employees assigned to emergency response activities.
3. Facial hair will be neat and trimmed and will not interfere with personal protective equipment (PPE) or pose a safety hazard. Facial hair will not interfere with the operation of self-contained breathing apparatus or other safety equipment.
4. Hands and fingernails will be kept clean at all times. Employees assigned to emergency response activities will keep fingernails trimmed and will not interfere with personal protective equipment (PPE) or pose a safety hazard.
5. The SFMD's safety officer will have the discretionary authority to determine when an individual employee's hair or grooming may interfere with the operation of self-contained breathing apparatus or other safety equipment. When such a decision is rendered, the individual employee will be required to modify their hair and grooming until it is acceptable to the safety officer.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.14: Injury Leaves and Light Duty Assignment	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Injury Leaves

A. Job Related Injury

When an employee is injured on duty and deems the injury to not be serious in nature (finger sprain, small cut, pulled muscle), an employee may choose to consult with their supervisor and simply document the injury accordingly. This information will be maintained with the supervisor and kept as a record of the incident. The following information will need to be documented:

1. Date and time injury occurred
2. Specific information to how the injury was caused
3. Specific information to what part of the body was injured
4. Any treatment that was performed

If the employee determines at a later date that the injury is not improving and requires an evaluation by the SFMD physician, this information can be collected and sent with the employee.

If the employee or the supervisor is unsure if they should seek further care, they will err on the side of caution and obtain an immediate evaluation as described in this section.

SFMD employees are covered by worker's compensation as provided in the [Arizona Worker's Compensation Law](#), except in cases of substantiated gross negligence on the part of the individual.

Employees injured on the job that are restricted from returning to work by order of a physician may be eligible for:

1. [Sickness Leave](#)
2. [Vacation Leave](#), once all [Sickness Leave](#) has been exhausted.
3. Illness Leave utilization, which can be refunded on an hour for cost basis with worker's compensation funds (if eligible).
4. Public Safety Personnel Retirement System disability benefits.
5. Possible assignment to light duty as specified in [Light Duty Assignment](#).

B. Off-Duty Injury Leave

Employees who are injured off-duty may qualify for injury leave until the total amount of illness leave earned has been exhausted. Disability leave will be handled as sickness leave until it is depleted, then the employee may use vacation leave. Employees may be eligible for disability funds through the SFMD's pension systems. All injuries that occur off the job that will cause an employee to miss a regularly scheduled shift are to be reported to the employee's immediate supervisor as soon as practical.

The supervisor may be required to submit a written report to the Fire Chief on the nature of

the injury and the length of time the employee is expected to be off work. A full medical release is required prior to the employee returning to their current job classification.


Light Duty Assignments

Light Duty Assignment (LDA) can be granted to a requesting employee meeting the following criteria:

- A. A written request for LDA must be submitted to HR. The following information is required at the time of request:
 1. Medical reason for request.
 2. Estimated length of time employee is expected to remain in LDA.
 3. Signed release from licensed physician for LDA with job duty restrictions.
- B. LDA, when available, will be granted to employees whose injury or medical condition will limit their ability to perform the essential functions of their current job classification beyond seven calendar days.
- C. An employee granted LDA will receive the salary and benefit package of their job classification at the time the injury or medical condition occurred.
- D. Work duties and schedule for employees on LDA are at the discretion of the Fire Chief. Employees will be assigned work duties and schedule that assist in the meeting the SFMD's service delivery needs within the community.
- E. An employee may be granted LDA for a maximum period of 120 calendar days for a job related injury or medical condition per occurrence. LDA may be extended by the Fire Chief for an additional thirty calendar days if the employee is expected to return to their former job classification within that time.
- F. An employee may be granted LDA for a maximum period of 60 calendar days annually for non-job related injury or medical condition.
- G. A full medical release is required prior to the employee returning to their current job classification.

The SFMD will attempt to accommodate all employee requests for LDA. The availability of LDA will be based upon the following conditions:

- A. The employee must be currently classified as full-time.
- B. The Fire Chief any one fiscal year may encumber up to forty percent of the budgeted contingency funds for the purpose of funding LDA. The LDA funding allocations within each fiscal year will have 40% aggregate limit threshold will be reached.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.15: Long Term Disability	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Long-Term Disability

SFMD employees may from time-to-time incur disabilities that interfere with an individual's ability to perform the essential functions of the job for their particular classification. The SFMD maintains a LDA for employee's whose injury or medical condition cause disabilities, which are considered temporary in nature (less than 120 calendar day recovery time).

An employee whose injury or medical condition will not allow for them to perform the essential functions of their job classification, and whose earned leave, FMLA and / or LDA eligibility has been exhausted, may qualify for disability benefits under the following programs:

1. Workers Compensation Insurance
2. Arizona State Public Safety Personnel Retirement System (AZSPRS)
3. Arizona State Personnel Retirement System.

(Information on these benefit programs is available from the administration office)


B. Long-Term Disability Management

SFMD policy favors the maximum utilization of disabled employees. The income and benefits available to employees forced to rely on the SFMD's various disability programs will not normally equal the regular pay and benefits earned prior to the disability. The SFMD wishes to allow those burdened with a disability to benefit from continued employment, as-well-as pro-actively managing the cost of providing disability benefits. The SFMD will manage its disability program as follows:

1. The Fire Chief should have the authority to modify the relevant job description of an employee considered disabled to thereby accommodate continued employment or an offer of re-employment.
2. Factors to be considered in job description modification may include input from the affected employee, the employee's physician, the employee's supervisor and the current needs of the SFMD. The terms of such a modified job description should rest in the sole discretion of the Fire Chief.
3. Any decision to make or withhold an offer of re-employment under such a modified job description should rest in the sole discretion of the Fire Chief.
4. An individual continuing employment or re-hired under a job description modified to accommodate a disability should be entitled to the pay and rank existing at the time of the underlying disability.
5. An employee who has recovered sufficiently to allow performance of the essential functions of their original job description may petition the Fire Chief for reinstatement to their former position. If the individual meets the minimum qualifications they

should be returned to their former job classification.

6. Within 60-days of continuing the employment or re-hiring an individual pursuant to a job description modified under this policy, the Fire Chief should furnish the Governing Board a report of the event.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.16: Earned Leaves	
	Effective Date: 2005	Revision Date: July 2016
	Approved by: Administrative Services	

Policy

Full-time, part-time, and contract employees are eligible for various types of leave as provided by the SFMD compensation and benefit plan. Leaves are provided by the SFMD as benefit to its employees for the purpose as specified within these rules.

A. Holiday Leave

The SFMD recognizes ten (10) annual holidays as indicated below:

<i>New Year's Day</i>	<i>Labor Day</i>
<i>Civil Rights Day</i>	<i>Columbus Day</i>
<i>Presidents Day</i>	<i>Veterans Day</i>
<i>Memorial Day</i>	<i>Thanksgiving Day</i>
<i>Independence Day</i>	<i>Christmas Day</i>

B. Holiday Pay for 56-hour employees

Full time 56-hour employees are provided additional compensation, equal to 12 hours of regular pay, when the employee works their normally scheduled shift on any of the 10 annual holidays listed above.

1. Work Trades:

- The employee requesting the work trade will receive the additional compensation.
- The employee accepting the work trade will not receive the additional compensation.

C. Observance of Holiday for 40-hour personnel

Monday-Thursday Schedule:

- Holidays occurring on a Friday or Saturday will be observed on the preceding Thursday.
- Holidays occurring on a Sunday will be observed on the following Monday.

D. Additional vacation leave (formerly "Floating Holiday")

- 56-hour employees will receive an additional 24 hours of vacation leave at the beginning of each fiscal year.
- 40-hour employees will receive an additional 10 hours of vacation leave at the beginning of each fiscal year.

SFMD employees must adhere to the "Minimum Vacation Leave" section of the "Vacation Leave Administration" policy shown below.

Vacation Leave Administration (updated March 2016)

Vacation will be granted to all full-time employees under the following circumstances:

A. 56-Hour Employees

1. 56-hour employees will begin to accrue vacation leave from date of hire, and is available for use immediately after receiving their first paycheck.
 - a. Emergency Vacation leave is available on a case by case basis and must be communicated with the employee's supervisor prior to use.
2. Employees must have enough accrued hours to cover the entire vacation leave requested.
3. Employees may not schedule vacation leave more than one-year in advance through Telestaff.
4. Employees may not schedule vacation leave based on hours they will accumulate in the future.
5. The vacation block requested must be available and the request should be made at the appropriate time prior to the start of shift/work day depending on the division the employee is assigned.

B. 40-Hour Employees

1. 40-hour employees will begin to accrue vacation leave from their date of hire and is available for use immediately after receiving their first paycheck.
 - a. Emergency Vacation leave is available on a case by case basis and must be communicated with the employee's supervisor prior to use.
2. Employees must have enough accrued hours to cover the entire vacation leave requested.
3. Employees may not schedule vacation leave more than one-year in advance.
4. Employees may not schedule vacation leave based on hours they will accumulate in the future.
5. The vacation block requested must be available and the request should be made at the appropriate time prior to the start of shift/work day depending on the division the employee is assigned.

Vacation Leave Guidelines

A. 56-Hour employees

56-hour employees must request vacation leave, within Telestaff, at least 12 hours prior to the start of the requested leave.

1. If it becomes necessary to request vacation time after the 12 hours prior to the start of the requested leave, the employee must contact the BC for consideration and approval.
 - a. It is the responsibility of the employee to ensure the vacation leave request is approved on Telestaff, does not have an asterisk (*), and does not exceed the maximum allowable number of personnel for vacation each shift day.
2. Three (3) shift personnel will be authorized to take vacation leave per shift day.
 - a. The Battalion Chief will not count against any vacation leave positions.
 - b. The CCU Captain will not count against the 3 authorized vacation positions per day. ****This is a pilot program and will be reviewed as necessary****
 - c. Employees on military leave will not count towards the 3 vacation positions

per day.

3. One (1) Transportation Services Personnel (TSP) will be authorized to take vacation leave per shift day. This spot is independent of other positions and specific only to TSP.
4. SFMD employees on uncompensated leave will not accrue vacation during those pay periods.

B. Vacation request with an Asterisk (*)

1. 56-hour employees may request vacation leave in excess of the three (3) personnel per shift day, but their request will have an asterisk (*) on Telestaff and will be considered to be on a waiting list.
2. Telestaff will time stamp the request. In the case of a cancellation of vacation leave, the employee with the earliest request will be granted the approved vacation leave.
3. The on-duty Battalion Chief, or designee, will update Telestaff and approve the vacation.
 - a. It will be the employee's responsibility to notify the on-duty Battalion Chief of any vacation leave cancellations, in order to make any necessary changes or approvals to Telestaff.
4. Telestaff does not automatically approve vacation leave which has an asterisk (*) in the event of a vacation leave cancellation.
 - a. It is possible that another employee could take approved (not asterisked) vacation leave while other personnel are on the waiting list. Please be courteous and use good communication when cancelling vacation.
 - b. In the event of a vacation leave cancellation which is taken by another employee (not on waiting list), it may become necessary for the Battalion Chief or designee to evaluate the circumstances and determine the rightful employee in which to approve the vacation leave for.

It is important for the Battalion Chief and BSO to monitor the Telestaff roster often in order to anticipate these types of situations.

C. 40-Hour Employees

1. 40-hour civilian/public safety personnel must get supervisor approval for all vacation leave requests.
2. 40-hour civilian/public safety personnel must give at least 12-hour advance notice to their respective supervisor for any vacation leave request.
3. The SFMD employees on uncompensated leave will not accrue vacation during those pay periods.

Minimum Vacation Leave

A. 56-Hour Employees

1. 56-hour employees must schedule vacation leave in a minimum of a 4-hour block and .25 hour increments thereafter.
 - a. Exception: hours taken between 1900 and 0700 must be taken as one block.
 - i. Requests at or after 1900 hrs must be taken for the entire block.
 - ii. Requests for vacation starting prior to 1900 hrs are held to 4 hr block minimum
2. 56-hours employees must use a minimum of 72 hours of scheduled vacation per fiscal

year.

- a. If the employee is above the annual vacation leave cap (450 hrs.)
 - i. Any unused hours will be subtracted from the hours eligible for an employee's Earned Leave Buy Out (ELBO).
- b. If the employee is below the annual vacation leave cap (450 hrs.)
 - i. Any unused hours will be subtracted from the employees accrued vacation leave.

B. 40-Hour Employees

1. 40-hour employees must use vacation leave in a minimum of a one (1) hour block and .25 hour increments thereafter.
2. 40-hour employees must use a minimum of 30 hours of vacation per fiscal year.
 - a. If the employee is above the annual vacation leave cap (320 hrs)
 - i. Any unused hours will be subtracted from the hours eligible for an employee's Earned Leave Buy-Out (ELBO).
 - b. If the employee is below the annual vacation leave cap (320 hrs)
 - i. Any unused hours will be subtracted from the employees accrued vacation leave.

Vacation Leave Lottery


A. 56-Hour Employees

1. SFMD has identified the following shift days that will be considered a "lottery".
 - a. July 4th
 - b. Thanksgiving
 - c. Christmas Eve
 - d. Christmas Day
2. Each January, each shift BC will administer a lottery based draw for each of the holidays which fall on their respective shift(s) during that calendar year.
3. If shift personnel wish to participate, they will be asked to submit an email to their BC with their request to be part of the lottery.
4. The BC should administer the lottery by the end of January or as soon as reasonably possible.
5. The BC will administer the lottery and communicate the results to the entire shift.
6. The BC will contact the Telestaff administrator to place those employees selected by the lottery into Telestaff as approved vacation leave.
7. A lottery list will be maintained by each BC in the case of a vacation leave cancellation or the staffing changes that result in a vacated vacation leave slot.

Vacation Leave Accumulation & Accrual (Updated November 2017)

<u>Months Service</u>	<u>Years Service</u>	<u>40-Hour Civilians</u>		<u>42-Hour Civilians</u>		<u>56-Hour Public Safety & Civilians</u>	
		<u>Hours Per Pay Period</u>	<u>Days Per Year</u>	<u>Hours Per Pay Period</u>	<u>Days Per Year</u>	<u>Hours Per Pay Period</u>	<u>Days Per Year</u>
0-24	0-2	3.97	10.32	4.17	9.04	7.10	7.69
25-36	2-3	4.42	11.49	4.64	10.05	7.48	8.10
37-48	3-4	4.86	12.64	5.10	11.05	7.85	8.50
49-60	4-5	5.31	13.81	5.58	12.09	8.22	8.91
61-72	5-6	5.75	14.95	6.04	13.09	8.60	9.32
73-84	6-7	6.18	16.07	6.49	14.06	8.97	9.72
85-96	7-8	6.62	17.21	6.95	15.06	9.35	10.13
97-108	8-9	7.06	18.36	7.41	16.06	9.72	10.53
109-120	9-10	7.52	19.55	7.90	17.12	10.09	10.93
121-132	10-11	7.96	20.70	8.36	18.11	10.47	11.34
+132	11+	8.40	21.84	8.82	19.11	10.87	11.78

Board Approval:



Gene Gehrt, Board Clerk

November 15, 2017

Date

BOD #: 2017-11-04

Vacation Leave Caps & Earned Leave Buy-Out (ELBO)

56-Hour & 40-Hour Employees

1. The annual cap for accrued vacation leave for 56-hour public safety and civilian employee's hours is 450 hours.
2. The annual cap for accrued vacation leave for 40-hour civilian and public safety employees is 320 hours.
3. Earned Leave Buy-Out (ELBO) will be any vacation hours that are accrued in excess of the established caps.
4. Annual ELBO payouts for vacation leave will be calculated at the employee's current hourly rate as of June 15th each year. Payment of any approved ELBO will occur in the last paycheck of June each year.
5. Vacation leave may not be converted to a dollar amount.

Work Schedule Change

An employee transferred to a different work schedule (56hr vs 40hr) will accrue vacation according to the accrual rate based upon the new schedule.

Separation from Service Payment

Upon separation from service (resignation, termination, retirement) the employee shall be entitled to all accrued vacation leave, paid on an average of their last 5 years on their final paycheck. In case of death, payment shall be paid to the beneficiary or executor of the employee's estate.

Sick Leave (Revised April 2017)

Sick leave with pay is provided as a benefit in recognition that employees contract various illnesses from time-to-time and that their financial resources may be diminished in such instances if pay is discontinued. Moreover, coming to work sick may not be in the best interest of the employee or their fellow employees.

Sick Leave Administration

Sick leave will be granted to all full-time and part-time employees under the following conditions:

- A. Earned paid sick time shall be provided to an employee by an employer for an employee's mental or physical illness, injury or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care;
- B. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
- C. Due to domestic violence, sexual violence, abuse or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member:
 - 1. Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual violence, abuse or stalking;
 - 2. Services from a domestic violence or sexual violence program or victim services organization;
 - 3. Psychological or other counseling;
 - 4. Relocation or taking steps to secure an existing home due to the domestic violence, sexual violence, abuse or stalking; or
 - 5. Legal services, including but not limited to preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual violence, abuse or stalking.
- D. For purposes of this policy family member means:
 - 1. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a minor;
 - 2. A biological, foster, step parent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;
 - 3. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
 - 4. A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or
 - 5. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- E. Any other reason authorized by Arizona law.

Sick Leave Reporting and Documentation

- A. 56-hour employees will not be granted sick leave more than 24 hours prior to the start of a 24 hour shift.
- B. 56-hour employees shall report sick leave in [Telestaff](#) no later than 0530 the morning of their shift. If the employee is unable to access [Telestaff](#), the employee must contact the on-duty BC/BSO on the BC office phone at 480-982-1750 no later than 0530.
- C. 40-hour employees shall notify their immediate supervisor no later than 30 minutes prior to work shift.
- D. Sick employees are generally expected to remain at home unless they are hospitalized, visiting their doctor, or acting pursuant to a physician's instructions for care. Employees are prohibited from engaging in any other employment while on sick leave.
- E. A medical release from a licensed physician may be required for sick leave absences that exceed three (3) or more consecutive work/shift days. The work release must be submitted to the Assistant Chief of Administrative Services or designee prior to the employees return to work and shall include the nature of the illness or injury, any treatment involved, and if the employee is fit to return to duty.
- F. The physician's medical release must be approved by Assistant Chief of Administrative Services, or designee, before the employee may return to work. Medical expenses incurred for this visit are the responsibility of the employee.
- G. New-hire probationary employees who must use sick leave anytime during their probationary year may be required to provide an explanation (of their reason for using sick leave) to their immediate supervisor in writing upon returning to work
- H. New employees (less than two years employment) who suffer an unforeseen catastrophic or otherwise debilitating illness or injury that requires extensive use of sick leave beyond that which the employee has accumulated may be eligible for an advance in sick leave. Eligible employees must request this benefit through their chain of command. Every effort will be made to provide a reasonable accommodation to employees and each request will be handled on a case-by-case basis.
- I. The Fire District reserves the right to require a physician's medical examination (at the Fire District's expense) to confirm an employee's illness/injury or their return to duty fitness. In order to be accountable for the health and welfare of all employees.
 - 1. 40-hour employees expecting to be on sick leave in excess of two (2) working days must notify their immediate supervisor and provide an estimated return to work date.
 - 2. 56-hour personnel expecting to be on sick leave in excess of two (2) 24-hour shifts must notify the on-duty BC or BSO on the battalion office phone, in addition to making the necessary changes in [Telestaff](#).

Failure of the employee to follow the [Sick Leave Reporting and Documentation](#) procedure may result in the following:

A. First Offense

The employee will be considered absent without leave until he or she arrives at work. 56-hour employees will be assigned a "no pay" status in [Telestaff](#) for the period not worked until he or she arrives at work, up to a maximum of 24 hours.

56-hour employees who will potentially be absent without leave beyond the 24 hour maximum will be required to obtain an appropriate work-trade or submit for vacation leave to cover any remaining shift hours unless that person qualifies for sick leave in accordance

with this SOG.

40-hour employees will not be paid for absent time as FLSA non-exempt employees are only paid hours worked.

- First offense employees may also be placed in a corrective action plan, at management's discretion.

B. Second Offense in a 36-month period

The employee will be considered absent without leave until he or she arrives at work. 56-hour employees will be assigned a "no pay" status in [Telestaff](#) for the period not worked until he or she arrives at work, up to a maximum of 24 hours.

56-hour employees who will potentially be absent without leave beyond the 24 hour maximum will be required to obtain an appropriate work-trade or submit for vacation leave to cover any remaining shift hours unless that person qualifies for sick leave in accordance with this SOG.

40-hour employees will not be paid for absent time as FLSA non-exempt employees are only paid hours worked.

- The employee should also be subject to a written reprimand and/or progressive discipline when warranted.

C. Third Offense in a 36 month period

The employee will be considered absent without leave until he or she arrives at work. 56-hour employees will be assigned a "no pay" status in [Telestaff](#) for the period not worked until he or she arrives at work. 40-hour employees will not be paid for absent time as FLSA non-exempt employees are only paid for their hours worked.

- Employees should also receive a written reprimand and one (24 hr.) shift / (10 hr.) day suspension without pay, to be served as soon as possible. Hours counted previously as "no-pay" will not count toward this requirement. Additionally, the employee should be placed on a one-year disciplinary probation and subject to a "last chance agreement" and may be required to provide a medical release from a physician prior to returning to duty.

D. Fourth Offense in a 36 month period

The employee will be considered absent without leave until he or she arrives at work. 56-hour employees will be assigned a "no pay" status in [Telestaff](#) for the period not worked until he or she arrives at work. 40-hour employees will not be paid for absent time as FLSA non-exempt employees are only paid for their hours worked.

- An employee who violates this SOG a fourth time in a 36-month period will be placed on [Administrative Leave](#) with pay pending termination.

E. At the discretion of the Fire Chief, employees who exhibit a pervasive pattern of non-compliance with the [Sick Leave Reporting and Documentation](#) procedure that extends beyond the 36-month timeframe may also be considered a failure to adhere to the policy and therefore subject to any of the aforementioned consequences. Consideration should be given to the number, frequency and nature of the occurrences.

Sick Leave Abuse

The SFMD considers sick leave abuse to be a very serious situation/offense. Excessive sick leave use for example, may be indicative of serious underlying personal or emotional problems, requiring intervention from district leadership or trained peer support professionals. Other forms of sick leave

abuse have the potential to cause significant disruptions to District programs and operations and often result in elevated labor costs.

- A. Supervisors are responsible for monitoring the sick time use of employees assigned to them on an on-going basis to ensure that each employee's sick leave usage is within acceptable parameters.
- B. Superstition Fire & Medical will periodically conduct a review of sick leave use for all district employees. Excessive or repetitive patterns of use (e.g. used on specific days of the week, sick leave used in combination with other days off, leave used prior to retirement, etc.) may be indications of abuse.
- C. Supervisors who identify the existence of a pattern of sick leave use and/or the contention that the alleged pattern indicates abuse are expected to counsel their employee, and if necessary, refer the issue up the chain of command.
- D. Where the Fire Chief, or other supervisor, alleges the existence of a pattern of sick leave use and/or the contention that the alleged pattern indicates abuse, such members may be required to participate in a sick leave use meeting.
 - 1. 56-hour employees will meet with their direct supervisor and the Assistant Chief of Emergency Services, or Fire Chief's designee.
 - 2. 40-hour employees will meet with their direct supervisor and the Assistant Chief of Administrative Services, or Fire Chief's designee.
- E. The purpose of these meetings is essentially an employee "welfare check", in other words, to better understand the conditions driving the excessive use of sick leave and to ensure the employee and/or their family are in an acceptable state of emotional and physical health. Moreover, this time may also be used to: educate employees regarding the proper use of sick leave; assist employees with applying for and using FMLA (when indicated); and educating the employee regarding potential consequences of continued episodes of excessive sick leave and/or sick leave abuse.
- F. Because it is sometimes difficult to differentiate between appropriate use of sick leave and sick leave abuse, supervisors may be left to rely on their professional discretion or observations when making this determination. In other cases, metrics may be used to guide management in making the distinction between use and abuse. For instance, employees with greater than two (2) years of service that have a current sick leave balance less than twenty-five percent (25%) of their possible maximum, may be abusing sick leave and therefore required to participate in a sick leave use meeting.
- G. Once a meeting has been held, if a justifiable reason for the sick leave balance is identified, the employee will not have to justify their sick leave use for that occurrence. However, if it is determined that the sick leave use was or may be considered sick leave abuse the employee may be placed on an Excessive Sick Leave Use Performance Improvement Plan (PIP).
- H. Components of an Excessive Sick Leave Use Performance Improvement Plan may include: periodic meetings with the employee's supervisor and/or members of the employees chain of command; requirement to provide medical release, for their supervisors review, from a physician for any or all uses of sick leave during the timeframe stated in the PIP; being precluded from receiving overtime.
- I. Failure by a supervisor to adequately address the issue of excessive sick leave use with their employee shall be considered a failure to perform his/her supervisory duties.

- J. Failure to adhere to the Performance Improvement Plan, further occurrences of abuse or egregious incidents of abuse may be grounds for discipline, up to and including termination.

Duty to Act

Any employee becoming aware or having knowledge of misuse of sick leave should notify their immediate supervisor immediately. Subsequently, any supervisor receiving notification of a potential SOG violation should immediately report the notification to their direct supervisor.

Sick Leave Accumulation and Accrual *(Updated November 2017)*

- A. 40-hour civilian and public safety employees will earn sick leave at rate of 4.64 hours per pay period.
- B. 42-hour employees will earn sick leave at a rate of 4.87 hours per pay period.
- C. 56-hour public safety employees will earn sick leave at a rate of 6.25 hours per pay period.
- D. Effective July 1, 2017; Part-Time employees will accrue 1 hour of sick leave per each 30 hours worked.
- E. During pay periods of uncompensated leave, such as no-pay situations, suspension or leave of absences, sick leave will not be accrued.

Board Approval:



Gene Gehrt, Board Clerk

November 15, 2017

Date

BOD #: 2017-11-04

Sick Leave Caps and Payouts

- A. The annual cap for accrued sick leave for 56-hour public safety employee's hours is 1,460 hours.
- B. The annual cap for accrued sick leave hours for 40-hour civilian and public safety employees is 1040 hours.
- C. Annual board approved ELBO payouts for sick leave hours accrued over the established caps will be calculated at the employee's current hourly rate as of June 15th each year. Payment of any approved ELBO will occur in the last paycheck of June each year.
- D. Board approved ELBO payouts for accrued sick leave below the cap, as of the employees official retirement date, will be paid at 50% of the individual's accrued total sick leave hours, with the employees hourly rate being calculated as the average hourly rate for the five years preceding the employees approved (official) retirement date.
- E. Board approved ELBO payouts for accrued sick leave above the cap, as of the employees official retirement date, will be paid at 60% of the individual's accrued total sick leave hours, with the employees hourly rate being calculated as the average hourly rate for the five years preceding the employees approved (official) retirement date.
- F. Retirement is defined as retiring from PSPRS or ASRS.

G. No accrued sick leave will be paid upon resignation or termination.

Leave Donation

This SOG establishes a program for the donation of accrued leave to employees who, due to a serious illness or injury to self or immediate family have used all accrued paid time off, need further time off, and work in a full-time capacity.


- A. An employee can submit a request in writing to his/her supervisor to be placed in the Leave Donation Program when the employee has less than 40 combined hours remaining in all paid time off categories. Requests must then be forwarded to the appropriate Assistant Chief.
- B. Any SFMD Assistant Chief or designee may approve the employees request to participate in the Leave Donation Program for an employee with the employee's verbal or written consent.
- C. To qualify, employees must have an approved Family Medical Leave (FMLA) case, an FMLA case pending approval or other special medical circumstance.
- D. If an FMLA case is denied the employee may, at the Fire Chief's discretion, be removed from the Leave Donation program.
- E. When a qualified SFMD employee has exhausted all other leave, members of the SFMD may transfer their personal vacation or sick leave hours to the requesting employee.
- F. Upon approval, the Assistant Chief of Administrative Services or designee will notify the organization by email that an employee has qualified for donated leave.
- G. Employees wishing to donate leave must notify the Assistant Chief of Administrative Services in writing to authorize the donation of leave hours.
- H. No more than fifty percent of the donating employee's leave may be gifted to another employee.
- I. Eligible donations will remain confidential. However, a copy of the donor's request will be placed in their employee file.
- J. An employee may not donate leave time to their immediate supervisor unless special circumstances exist that may be considered and authorized by the Fire Chief or designee.
- K. Donations will be made hour for hour. For example, one (1) hour of donated leave will be debited from the donors account and credited to the receiving employees leave bank. All donated leave will be given in one (1) hour increments.
- L. Upon returning to work, any unused donated leave shall be credited back to the donating employee(s).
- M. The Fire Chief or designee may make exceptions for employees who do not meet the written criteria for enrollment in the donated leave program. Exceptions will be issued in writing and signed by the Fire Chief or designee.

Summary

The SFMD is committed to providing a competitive employee benefit package and paid sick leave is an important component of that. SFMD encourages and supports the use of sick leave when it meets the spirit and intent of this SOG. It also offers a market competitive program that rewards employees who responsibly manage sick leave accruals throughout their career.

The misuse and abuse of sick leave, or any of its related programs, may have serious implications to both the employee and the organization. For example, misuse and abuse of sick leave may result in

depleted staffing levels, diminished productivity, significant overtime costs, reduced training capacity, as well as adverse personnel actions such as corrective-action and discipline.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.17: Special Leaves	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Bereavement (Revised April 2016)

In the event of a death in an employee's immediate family, a full-time employee who is scheduled to work may be granted Bereavement Leave. Bereavement Leave is provided as an employee benefit to allow members the opportunity to grieve and/or address other matters related to the death of a close family member.

Policy

- A. For purposes of this policy, "immediate family" shall be defined as:
- B. The mother, father, or step-parent of the employee;
- C. The husband, wife, child (including unborn), stepchild, in-law relatives, brother, sister, step-brother, or step-sister of the employee;
- D. The grandparent or grandchild of the employee;
- E. The mother, father, grandparent or grandchild of the employee's spouse;
- F. The domestic partner of the employee, children or parent of the domestic partner;
- G. The person residing in the employee's household as a member of the family;
- H. A relative, who, because of family circumstances, has been a parent substitute to the employee, may be considered as a substitute for mother or father in this definition.
- I. 56-hour employees shall receive paid bereavement leave for up to seven consecutive calendar days. The start of the seven days will be determined by the employee and their respective Battalion Chief. Bereavement requests beyond what is allotted per policy must be approved by the Assistant Chief of Emergency Services. Approved requests shall be charged to the employee's sick leave. Vacation leave may be used if vacation is available on Telestaff.
- J. 40-hour employees shall receive paid bereavement leave for up to seven consecutive calendar days. The start of the seven days will be determined by the employee and their respective supervisor. Bereavement requests beyond what is allotted per policy must be approved by Assistant Chief of Administrative Services. Approved requests shall be charged to the employee's sick leave or vacation and approved by their supervisor.
- K. Management reserves the right to request an obituary or other evidence of death as soon as possible following the bereavement request.
- L. When proof of death is requested and the employee fails to provide such proof after a reasonable amount of time, the employees sick or vacation may be charged in lieu of the bereavement leave taken.
- M. If a bereavement request is discovered to have been made fraudulently or in bad-faith, corrective action or discipline may be warranted.

Non-Immediate Family Members

In the event of the death of family members other than those in the employee's immediate family, bereavement leave may be granted with the approval of the employee's supervisor and the respective Assistant Chief.

- A. Non-immediate family members include, but may not necessarily be limited to: aunts, uncles, cousins, etc.
- B. Paid bereavement leave for non-immediate family may be granted up to 10 hours for 40-hour personnel and 12 hours for 56-hour employees.

Bereavement Requests

- A. As soon as the need for bereavement leave is known, the employee should notify their respective supervisor who will then be responsible for ensuring the request and any associated time off is approved and documented.
- B. 56-hour personnel who choose to add the Bereavement pay code in Telestaff themselves must also follow-up with their chain of command (to include their BC) by phone or email with the specific details of the request.
- C. 56-hour personnel who choose to notify the on-duty BC to make the necessary changes in Telestaff should also notify their Captain and BC by phone or email of the request.
- D. In cases where an interpretation of immediate or non-immediate family member may be necessary, the Fire Chief or designee will make a determination.

Bereavement Leave Summary

The Superstition Fire & Medical District is committed to the health and well-being of its employees. Bereavement Leave is an important employee benefit that allows members to grieve or otherwise address important family affairs following the death of a relative.

Emergency Leave

Employees may use emergency leave for essential personal matters that are beyond control of the employee and such emergencies must be promptly resolved. Examples of emergency leave (not limited to): interference with transportation, unexpected vehicle breakdowns, accidents, arrests, or unanticipated detainment, a burst water pipe at the employee's home, etc.

Once it becomes apparent that emergency leave is needed, the employee should contact their supervisor as soon as possible. Emergency leave should be granted at the discretion of the supervisor. Emergency leave will be deducted from accrued leave of the employee (Vacation leave 1st, Sick Leave 2nd, No pay 3rd). An employee who improperly claims or misuses emergency leave is subject to disciplinary action.

Civil Leave

Employees who are required to serve as jurors may do so without penalty. The employee will receive their regular pay for up to two (2) weeks. In order to avoid duplication of pay, the employee is to sign over the payment received for jury duty during these two (2) weeks. Additional time served will be unpaid.

Any employee who is subpoenaed as a witness to court will lose no salary or earned leave as a result of being required to appear before the court for a matter involving the SFMD or arising out of involvement with the SFMD. Notification to the immediate supervisor should be done immediately upon receipt of a request to appear.

If an employee is involved in court in a personal case, either as a plaintiff or defendant, they may be granted leave; but the time off will be charged to their accrued earned leave.

An employee utilizing civil leave will be required to submit a copy of their summons and/or subpoena requesting their appearance in court to the personnel office.

Victim Leave

A. Definitions:

- **Victim:** A person against whom a criminal offense or delinquent act has been committed or, if the victim is killed or incapacitated, the person's immediate family or other lawful representative.
- **Immediate Family:** A spouse, parent, child, sibling, grandparent or lawful guardian.
- **Lawful Representative:** A person who is designated by the victim or appointed by the court to act in the best interest of the victim.

B. Duration of Victim Leave

There is no limit on the length of leave an employee can take under this policy. However, the SFMD may limit the leave an employee takes if the leave creates an undue hardship to the organization. The term "undue hardship" is defined as a "significant difficulty and expense to the organization" and includes "consideration of the size of the organization and the organization's critical need of the employee".

C. Use of Victim Leave

1. The following are terms and conditions for the use of victim leave:
2. The employee should use all accrued earned leave during time off.
3. The employee should use all accrued earned leave during time off.
4. The balance of the victim leave time should be unpaid.

D. Notice Requirements

An employee wishing to take victim leave must give the following notices to the appropriate Section Manager:

1. A copy of the notice he/she received from law enforcement or the prosecutor regarding his/her status as a crime victim and his/her rights; and
2. A copy of the notice of any scheduled proceeding, if applicable.

E. Effect of Victim Leave Benefit

An employee will not lose any employee benefits accrued before the date on which they begin victim leave.

1. Employees will not accrue vacation or sick leave during any unpaid victim leave absence.
2. Employees may obtain full-credited service toward retirement during any unpaid absence, by paying the required retirement contribution rates at the time the unpaid leave began. However, the unpaid absence will not constitute a break in SFMD service for seniority purposes.

Health Coverage

Employees on victim leave will continue to receive the same group health coverage they had while in paid status with the following conditions:

1. It should be the responsibility of an employee on victim leave to provide those

payments necessary to maintain health insurance coverage.

2. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the health insurance premiums paid while employee was on leave.

A. Benefits

Employees on victim leave may elect to continue or stop any other employee paid benefit coverage they had while in paid status with the following conditions:

1. It should be the responsibility of an employee on victim leave to provide those payments necessary to maintain benefit coverage.
2. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the benefit premiums paid while employee was on leave.

B. Investigation of Use of Victim Leave

HR may investigate the use of victim leave. Misuse of victim leave should be cause for disciplinary action up to and including termination.

Military Leave “In Process”

In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), USERRA provides protections to employees who are affiliated with a military organization who must take a leave of absence from their civilian jobs when they are called to active military service. USERRA provides protections to employees for up to five (5) years after they are called from their civilian employment to resume military duty.

There are exceptions to the five (5) year limit, with extensions permitted for situations during a time of national emergency. USERRA prohibits employers from discriminating or retaliating against employees because of their affiliation with a military service organization and protects their right to reinstatement and certain other benefits during the leave period.

The SFMD must grant military leave to employees who enlist or are called to active military service, both voluntarily and involuntarily, in the regular U.S. Armed Forces, Reserves or National Guard. Reserve and National Guard service employees will be granted leave for initial training, all periodic training and when the employee is called to active duty.

A. Absence From Work for Military Duty:

An employee entering active military service will receive paid military leave for up to 30 days in any two (2) year period, and that time cannot be charged against their available vacation entitlement. After the 30 day paid military leave has been exhausted, an employee may choose to receive vacation pay for unused earned vacation leave.

B. Absence From Work for Military Training:

An employee affiliated with a military organization and ordered to attend military training (training duty, camps, maneuvers, drills, formations, etc.) will be granted paid military leave for military training up to 30 days in any two-year period, and that time cannot be charged against their available vacation entitlement. After the 30 day paid military leave has been exhausted, an employee may choose to receive vacation pay for unused earned vacation leave.

C. Notification:

Timely oral or written notification should be submitted to the employee's direct supervisor, section manager, and HR informing them of planned military leave or of being placed on alert status as soon as the employee is notified. This requirement may be waived in times of military emergency or if national security prevents such notice.

D. Length of Military Service Leave:

Any employee who leaves SFMD service for military duty should be placed on military leave for up to five (5) years. Dependent upon length of military service, such leave to extend through a date of 90 days after their release from service.

E. Reporting Back to Work:

Military Service Length	Report Back
Less than 31 days	First workday after release
Between 31 and 180 days	Within 14 days after release
More than 180 days	Within 90 days after release

F. Restoration:

An employee returning from military leave should be entitled to be restored to their former job with full seniority, or to a position offering the same pay, rank, seniority, and benefits in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) provided they have not served more than five (5) years, comply with all the provisions of the act and that they notify the SFMD of their intention to return to duty in accordance with SFMD policy.

G. Military Service Injuries:

Employees that have been injured and are recovering from a military service injury will be allowed up to two (2) years to return to their civilian job.

H. Vacation and Illness Leave:

Upon restoration to SFMD service the employee should be restored all vacation and illness leave at the time of his / her induction or enlistment, unless payment for vacation leave accumulated has already been submitted to the employee.

I. Health Coverage:

Employees on military leave are entitled and have the option to continue their health coverage benefits. Employees performing military duty of more than 30 days may continue employer sponsored health care coverage for up to 18 months (COBRA). It should be the responsibility of an employee on military leave to provide those payments necessary to maintain health insurance coverage. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the health insurance premiums paid while employee was on leave. However, no such repayment is required if the employee is unable to return, as certified by a health care provider, due to circumstances beyond their control.

J. Benefits:

Employees on military leave are entitled and may elect to continue or stop any other employee paid benefit coverage. It should be the responsibility of an employee on military leave to provide those payments necessary to maintain benefit coverage. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the benefit premiums paid while employee was on military leave. However, no such repayment is required if the employee is unable to return, as certified by a health care provider, due to circumstances beyond their control.

Retirement:**Public Safety Personnel Retirement**

The member will receive credited service for active military service. The SFMD will make both member

and employer contributions for up to 48 months. The SFMD will base the contributions on the salary being received by the member immediately before active service.

Arizona State Retirement

The member will receive credited service for not more than 48 months of active military service. The SFMD should make both member and employer contributions. The SFMD will base the contributions on the salary being received by the member immediately before active service.

Maternity Leave

Employees are entitled to maternity leave in accordance with the SFMD's illness leave policy and in accordance with the Family Medical Leave Act and policy as follows:

- A. When an employee knows that she is pregnant, she will advise her supervisor of her condition and will immediately submit a doctor's written statement giving the expected date of birth and a statement regarding the employee's ability to perform the essential functions of her job. When the supervisor receives the statement the employee and her supervisor will agree on the last recommended date of work as approved by the employee's physician. A request for maternity leave should then be submitted in writing to the Fire Chief. The supervisor may also require the employee submit to a fitness for duty exam.
- B. All requests for maternity leave will require a physician's statement attesting to the physical condition of the employee and her ability to perform the duties of the assigned position. The physician's statement should also contain a recommendation as to the length of time an employee may remain on the job prior to delivery and, following termination of pregnancy, the appropriate period of postnatal leave.
- C. Accumulated sick and vacation leave may be used by employees at the beginning of cessation of work for maternity reasons.
- D. Maternity leave in accordance with the Family Medical Leave Act will not be approved for more than a 12 week period.
- E. An employee on maternity leave will have the opportunity to return to her former or comparable position.
- F. An employee returning to work from maternity leave will be required to submit a full medical release from her physician.

Pregnancy Anti-Discrimination

SFMD prohibits and does not tolerate discrimination against anyone on the basis of pregnancy. The SFMD will treat all applicants and employees who are pregnant the same way as any other applicant or employee with regard to job-related functions, benefits, opportunities, and purposes. No person, or employee, no matter his or her title or position has the authority, express, actual, apparent or implied, to discriminate against a pregnant employee or applicant of the SFMD.

SFMD will not deny a job or remove a pregnant employee from a position because the employee is pregnant, considering pregnancy, or experiencing any pregnancy-related problems. SFMD will make all recruitment, placement, selection, training, hiring, promotion, termination or other terms, conditions, or privileges of employment based on job-related qualifications and abilities.

All decisions regarding a pregnant employee's placement in or continuation in a job will be based on the same consideration that governs all employment decisions – the employee's ability to satisfactorily perform the essential duties of the job in question.

Any employee who has been discriminated against or witnesses an act of discrimination is to report such activity to the appropriate section manager, HR, or the Fire Chief immediately.

FMLA

The purpose of family and medical leave is to allow eligible employees to take time away from work in order to attend to the birth, adoption or foster care placement of a child or to attend to their own illness or the illness of a member of the employee's immediate family without fear of losing their job.

For the purpose of family and medical leave the following definitions apply:

- A. Immediate Family: A parent, spouse, son or daughter is defined as follows:
- B. Parent: The biological parent of an employee, an individual who stood in place of the parent to that employee, or an employee who has the day-to-day responsibilities of caring for a child.
- C. Daughter or Son: A biological, adopted, or foster child; a stepchild; a legal ward; or child of a person standing in the place of a parent who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability.
- D. Spouse: A husband or wife as defined or recognized under State law for purposes of marriage, including common law marriage in States where it is recognized. A spouse does not include unmarried domestic partners.
- E. Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or any subsequent treatment in connection with such inpatient care or continuing treatment by a health care provider.

Eligibility for Family and Medical Leave

Who may use Family and Medical Leave?

Eligible employees are those who have been employed by the SFMD for at least 12 months and have worked (including paid absences) for a period of not less than 1250 hours during the preceding 12 months.

When can Family and Medical Leave may be used?

- 1. The birth, adoption or foster care placement of a son or daughter if the leave is taken within 12 months of the birth, adoption or placement;
- 2. the serious health condition of a parent, spouse, son, or daughter;
- 3. the employee's own serious health condition which prevents the performance of the essential functions of the job

Duration of Family and Medical Leave

Eligible employees are allowed up to twelve (12) weeks of unpaid family and medical leave in a 12 month period. The 12 month period will be computed as a rolling 12 month period measured backward from the date leave is used.

Use of Family and Medical Leave:

- 1. In the case of the employee's own serious health condition, the employee should use all accrued illness leave before using accrued vacation leave.
- 2. All accrued vacation leave should be used before unpaid leave may be used.
- 3. The amount of unpaid leave available should be the time remaining after having deducted the eligible accrued paid illness and vacation leave, from the 12 weeks of

family and medical leave.

4. In the case where both husband and wife are employees of the SFMD, twelve weeks of family and medical leave may be used by each employee in the 12 month period for any qualifying family and medical leave event.
5. All types of leave should run concurrently with family and medical leave.

Reduced or Intermittent Leave:

1. Intermittent or reduced leave should be granted for the employee's own serious health condition or the serious health conditions of the employee's immediate family.
2. Intermittent or reduced leave for the birth, adoption or foster placement of a child will be allowed only with the consent of the Fire Chief and HR. The use of intermittent or reduced leave should be limited to a period of 12 consecutive weeks.
3. At the Fire Chief's discretion, may choose to temporarily transfer the employee to a position that better accommodates the leave, provided the transfer does not deprive the employee of hours that they are otherwise available to work.

Notice Requirements:

30 Day Notice Requirement

An employee wishing to take family and medical leave must give HR and the appropriate section manager their 30 days advanced notice where practical or when the leave is foreseeable. The notice may be verbal and HR should document the request for leave and provide a copy to the Fire Chief. If it is necessary that the leave begin in less than 30 days, the employee must provide such notice as practical.

Sanctions for Failure to Provide Notice

If the employee could have provided 30 days advanced notice to HR but did not, the SFMD may then deny leave for 30 days after the employee provides notice.

Designation of Leave as Family and Medical Leave

It is the responsibility of the agency to designate leave, paid or unpaid, as family and medical leave. The SFMD may inquire further if the employee does not provide enough information to enable the SFMD to designate the leave as family and medical leave.

Medical Certification and Reporting Requirements:

1. The SFMD should require that family and medical leave related to a serious health condition be supported by a certification issued by the health care provider of the employee, employee's spouse, daughter, son, or parent, as appropriate. A copy of this certification should be provided to HR within 15 calendar days of the request for certification. HR should request the certification in writing.
2. The certification must include the following:
 - a. The date on which the serious health condition commenced.
 - b. The probable duration of the condition.
 - c. The appropriate medical facts within the knowledge of the health care provider regarding the condition.
 - d. A statement that the employee is needed to care for the daughter, son, spouse or parent as appropriate.
 - e. An estimate of the amount of time that the employee is needed to care for the

daughter, son, spouse or parent as appropriate.

3. Failure to provide certification with 15 calendar days should result in denial of family and medical leave until a certification is provided.
4. If HR questions the validity of the certification they may require, at the SFMD's expense, that the employee obtain a second certification. If the second certification conflicts with the original opinion, the SFMD may require, at its expense, that the employee obtain the opinion of a third health care provider selected jointly by the SFMD and the employee. The third opinion should be final and binding on both parties.
5. HR may require that the employee obtain subsequent re- certification on a reasonable basis.
6. The employee on family and medical leave must notify HR at the conclusion of every fourth week of his/her status and intention to return to work.
7. All records or documents provided by a health care provider in response to a request to verify the necessity of family and medical leave should be maintained in separate files and treated as confidential medical records.

Effect of Family and Medical Leave on Benefits:

1. An employee will not lose any employee benefits accrued before the date on which they begin family and medical leave.
 - a. Employees will not accrue vacation or sick leave during any unpaid FMLA absence.
 - b. Employees may obtain full-credited service toward retirement during any unpaid absence, by paying the required retirement contribution rates at the time the unpaid leave began. However, the unpaid absence will not constitute a break in SFMD service for seniority purposes.
2. Health Coverage – Employees on family and medical leave will continue to receive the same group health coverage they had while in paid status with the following conditions:
 - a. It should be the responsibility of an employee on family and medical leave to provide those payments necessary to maintain health insurance coverage.
 - b. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the health insurance premiums repayment is paid while employee was on leave. However, no such required if the employee is unable to return, as certified by a health care provider, due to circumstances beyond their control (i.e.: continuation, recurrence or onset of a serious health condition).

Benefits

Employees on family and medical leave may elect to continue or stop any other employee paid benefit coverage they had while in paid status with the following conditions:

1. It should be the responsibility of an employee on family and medical leave to provide those payments necessary to maintain benefit coverage.
2. If an employee decides not to return to work, the SFMD is entitled to recover from the employee the cost of the benefit premiums paid while employee was on leave. However, no such repayment is required if the employee is unable to return, as certified by a health care provider, due to circumstances beyond their control (i.e.:

continuation, recurrence or onset of a serious health condition).

Return from Family and Medical Leave

1. An employee who has taken leave for their serious health condition should present to HR a certification from the employee's health care provider that the employee is able to resume work. This certification should include any limitations on performance of duties the employee might have.
2. Upon return from family and medical leave an employee should be returned to the same position or an equivalent position.
3. An employee need not be reinstated if the employee would not otherwise have been employed at the time reinstatement is requested.
4. When an employee returning from family and medical leave is not qualified or able to perform the essential functions of the position to which the employee was returned, the employee should be given a reasonable opportunity in which to become qualified or seek accommodation.
5. When an employee returning from family and medical leave is not able to perform the essential functions of the position to which the employee is returned, the employee may be disqualified.

Investigation of Use of Family and Medical Leave

HR may investigate the use of family and medical leave. Misuse of family and medical leave should be cause for disciplinary action up to and including termination.

Leave of Absence

The SFMD recognizes that from time-to-time employees will be unable to perform their assigned duties because of illness, injury or personal reasons. Therefore, the SFMD provides leave for all full-time employees.

A Leave of Absence (LOA) may be granted by the Fire Chief to any employee for a minimum period of one month, but not to exceed one (1) year. When granting a LOA the Fire Chief may consider operational needs, budget impact and ensure services are not compromised. LOA will not be granted for the purpose of outside employment. All LOA requests will be in writing with the reason(s) for the request. LOA without pay pertains to any full time employee who is approved for LOA but does not have any sick or vacation time available.

A. While on an Approved Leave of Absence:

1. LOA will not be considered as Fire District credited service.
2. LOA will not count toward years of credited service for Public Safety Personnel Retirement System (PSPRS) calculations.
3. There will be no accrual of vacation or sick leave during Leave of Absence.
4. The full-time employee will be responsible for medical insurance payments during LOA.
5. Employee's anniversary dates will be adjusted to delay the date in accordance with the amount of time not worked.
6. Upon expiration of a LOA, the employee will return to their position held prior to the start of the LOA.

B. Leave of Absence/Medical:

LOA may be granted by the Fire Chief to any employee for medical or physical recuperation

on a case-by-case basis. This may be used when FMLA is exhausted or when LOA is not covered by FMLA.

Voting Leave

If there are less than three (3) consecutive hours between the opening of the polls and the beginning of their shift and the closing of the polls, dependent upon staffing needs/demands, the supervisor will determine which end of the polls the employee will be able to take time off. Time off will be deducted from employee's accrued leave.

Compensatory Leave

The SFMD grants non-exempt civilian employees compensatory (comp) time off in lieu of monetary overtime compensation, at a rate of at least one-and-one-half hours for each hour of employment for which overtime compensation is required.

A. Probationary Period

No comp time leave should be granted until an employee has successfully completed six (6) months of the initial one (1) year probationary period.

B. Accrue ment

Comp time should be accrued from date of full-time employment with the SFMD. Credit should not be given for increments of time less than seven minutes; increments of time in greater than 7 minutes should be credited to the nearest quarter hour.

C. Accumulation

Maximum carryover of comp time should not exceed 40 hours. In the event an employee has reached the maximum carryover of comp time, and has overtime hours during a work period, comp time will not be granted and hours exceeding 40 will be paid at a rate of at least one-and-one-half hours for each hour of employment for which overtime compensation is required.

D. Position / Status Change

An employee promoted, demoted, or transferred to a position will be allowed to reserve those hours earned and continue earning comp time if applicable, not to exceed 40 hours.

E. Comp Time Scheduling

Comp time should be approved by department heads with due consideration given to staffing requirements, employee's length of service and employee preferences, in the order listed. Comp time requests must be approved by the direct supervisor, HR and Fire Chief. If deemed necessary, management for any reason No comp time leave should be granted until an employee has successfully completed 6 months of the initial one (1) year probationary period.

Comp time should be accrued from date of full-time employment with the SFMD. Credit should not be given for increments of time less than seven minutes; increments of time in greater than seven minutes should be credited to the nearest quarter hour.

F. Position / Status Change

Maximum carryover of comp time should not exceed 40 hours. In the event an employee has reached the maximum carryover of comp time, and has overtime hours during a work period, comp time will not be granted and hours exceeding 40 will be paid at a rate of at least one-and-one-half hours for each hour of employment for which overtime compensation is required.

G. Leave

Employees may take comp time in a minimum of one (1) hour modules.

H. Advance Leave

An employee will not be authorized comp time leave in excess of what they have accumulated at time of requesting leave.

I. Paid Holidays

Paid holidays which occur during comp time leave are not compensated as a paid holiday.

J. Waiving of Comp Time


An employee may not waive comp time leave for the purpose of receiving double pay.

K. Unauthorized Leave

No employee should be permitted to use comp time for any period of unauthorized leave or to participate in any work stoppage.

L. Termination

Upon termination (resignation, termination, retirement), an employee should be compensated for all accumulated unused comp time on their final payroll check. In case of death, compensation should be paid to the beneficiary or executor of the employee's estate.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.18: Personnel Files	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	


Purpose

To establish the procedure by which employment data and employee status changes are created, processed, maintained, and disseminated.

Policy

The Fire Chief and HR should maintain a personnel file for each employee in the service of the SFMD showing the name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be considered pertinent. Separate confidential personnel files are maintained, which contain confidential information that may not be considered.

Employees are responsible for notifying Human Resources of any status changes (marital status, number dependents, telephone number or name); employees should notify their supervisors of their status change as appropriate.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.19: Performance Evaluations	
	Effective Date: In Process	Revision Date: In Process
	Approved by: Administrative Services	

Policy

All employees of the SFMD should be formally evaluated by their immediate supervisor annually upon each classification date of their employment with the SFMD, and at other times as required by their immediate supervisor.

Probationary employees and employees assigned to new positions should be evaluated after the first 6 months of employment in that position (a review may be given prior to 6 months of employment), and immediately prior to the end of the probationary period.

Each employee performance evaluation should have one over one approval and be reviewed with the employee and then filed with Human Resources. Employees will have the opportunity to submit a written response to their performance evaluation. These evaluations should remain a part of each employee's personnel file in accordance with Arizona public records retention requirements. Employee performance evaluations may be used in consideration for determining transfers, promotions, demotions, terminations, or lay-offs.

Procedure

The SFMD encourages all employees to review the content of their personnel file.

A. Content

1. Each employee's official personnel file should include but not limited to the following:
2. Employment Application
3. Employee Information Form
4. Employee Payroll Information
5. Employment Selection Process Records
6. Employee Development Records
7. Personnel Changes
8. Notices of Promotion
9. Disciplinary Notices
10. Commendation Notices
11. Performance Appraisals
12. Separation Records
13. Loyalty Oath
14. Miscellaneous Info. (waivers, receipts, agreements, acknowledgements, and requests)

B. Access

Access to any employee's official personnel file should not be limited; however, the

employee's social security number and other confidential information may be restricted.

C. Access to Other Files


The presence of copies of any item listed in Subsection A. in any other informational file concerning an employee should not in itself confer upon such employee any right of access to such other file.

D. Control

The official personnel file will remain in the control of Human Resources, unless otherwise ordered by a court of competent jurisdiction.

E. Security

All personnel files will be maintained in lockable file cabinets in the SFMD's HR office. These cabinets will be unlocked only during the hours of work of the SFMD's HR Office, and during these hours only when access to the file cabinets is under the control of Administrative Services Assistant Chief.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.20: Employee Conduct	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Obedience to Order

Any employee of the SFMD who criticizes or talks derogatorily to anyone about instructions or orders received from any supervisor may be subject to disciplinary action.

B. Conflicting Orders

Should any order conflict with any previous order issued by command officer or with the rules of the SFMD or with any general orders of the Fire Chief, the member to whom the order is given should call attention to the conflict, and if the person given the conflicting order does not change same so as to remove the conflict, the order(s) should stand. If so directed the latter command will be obeyed with the responsibility placed upon the person giving the new order. Communication with the person giving the original command should be pursued as soon as possible.

C. Failure to Obey Order

Failure to deliberate refusal or any member to obey any lawful order given by a commanding officer will be deemed as insubordination. Disregarding the authority of any commanding officer by demonstration, disrespect, or reputing the order should likewise be deemed insubordinate.

D. Reporting for Duty

Employees shall report for duty at the time and place specified, properly uniformed and equipped. Every member or employee who fails to appear for duty at the date, time and place specified is "absent without leave." In the event a member is absent from the duty, the Fire Chief's office should be notified immediately. Members unable to report for duty or those who will be in late in reporting for duty, should notify the duty officer at their assigned station at least thirty minutes prior to their scheduled duty time. Employees should not leave their assigned post unless their relief has arrived or unless relieved by their supervisor.

E. Reporting in Emergencies

All employees are subject to call back when off duty.

F. Use of Physical Force

Malicious assaults or battery committed by an employee of the SFMD should constitute gross misconduct and is subject to disciplinary action.

G. Profane Language

Employees should avoid harsh, violent, profane, and insolent language at all times.

H. Court Appearance


No employee shall fail to appear in any court in which their presence is required for SFMD business. The Fire Chief should be notified as soon as any personnel are summoned or notified to appear in any court.

I. Care of Equipment

Any employee who misuse equipment or damages SFMD equipment or property through gross negligence is subject to discipline.

J. Loss of SFMD Equipment

The loss of any SFMD equipment should be immediately reported to Technical Services which will route the report to the Fire Chief.


 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.21: Insubordination	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

To describe for employees the appropriate standards for conduct and compliance with supervisors' directions in order to facilitate operations and maintain mutual respect and courtesy between employees and management representatives.

Policy

- A. All employees are expected to promptly perform job assignments given to them by their supervisors or other management representatives.
- B. Employees who object to an assignment or instructions are expected first to perform the task or comply with the directive. Subsequently, they may file a protest against the assignment with their supervisor or another management representative in accordance with the grievance procedures.
- C. An employee's refusal or failure to carry out an assignment or comply with established policies and procedures will be treated as serious misconduct.
- D. Verbal abuse of a supervisor, including the use of profanity or vulgarisms, name calling, threats, or ridicule, will be treated as insubordination, and the offending employee will be subject to disciplinary action.
- E. Other actions considered to be insubordinate and subject to discipline include, but are not limited to, failures to obey safety rules or use required safety equipment and unreasonable refusals to work overtime.
- F. Physical attacks by an employee on a supervisor or officer should be punishable by discharge.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.22: Documentation of Problem Behavior	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

The purpose of good documentation is to provide factual data about work performance and determine if problems exist. When documenting, supervisors should focus on being objective. It is advisable to avoid rumors, value judgments, and unsubstantiated recollections. Documentation should be factual and work performance specific. Documentation should be kept confidential and not discussed outside of appropriate channels.

Policy

Corrective Interviewing

A. Preparation

1. Know organizations policies.
2. Have documentation ready.
3. Prepare yourself.
 - a. When and where to meet.
 - b. Possible reactions.
 - Crying
 - Anger
 - Side-Tracking
 - Complacency
 - Unloading
 - Denial

B. Meeting

1. Begin on a positive note.
2. State problem in direct manner.
3. Deal with reaction.
4. Explore solutions.
5. Agree upon action to correct problem.
6. Review consequences of non-compliance.
7. Schedule follow-up meeting.


C. Policies for Corrective Interview

1. Make it clear you are concerned only about job performance.
2. Point out that EAP is available to assist employees at no cost.
3. Explain that only the employee can decide whether they will accept assistance.

4. Emphasize that all aspects of EAP services are confidential.
5. Realize that an employee suffering from personal problems deserves the opportunity to save their job. It is your responsibility as a supervisor to help provide the opportunity.
6. Do not try to diagnose the “why” of the problem. Supervisors are not trained to counsel, nor do they have the time.
7. Do not discuss substance abuse unless it occurs on the job or the employee reports to work under the influence.
8. Do not moralize, lose your temper, or argue. Restrict your comments to job performance or compliance with SFMD guidelines.
9. Do not cover up for a friend or be misled by sympathetic feelings. Show concern but stay on track or there may be serious delay in receiving help.
10. Do not feel uncomfortable about asking for advice from the EAP therapist manager. Helping a troubled employee is an essential part of managing.

Professional Managerial Assistance

The EAP provides unlimited supervisor consultations. Supervisor's having issues related to their employees that would like further assistance are able to contact the professionals.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.23: Employee Misconduct	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

SFMD strives to provide a positive and productive work environment, wherein employees activities at all times support the Mission, Vision, and Values this commitment is further exhibited in the Organization's Declaration of Ideals and Code of Conduct. The following policy item establish the areas of misconduct, required corrective action and the consequences related there to.

Policy

SFMD personnel should conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the District. It is in the best interest of the District and employees that the tax paying public and other stakeholders view District personnel as keepers of the public trust, responsible citizens and highly trained and effective public safety servants.

An employee who engages in misconduct will be subject to the appropriate corrective/disciplinary action up to and including termination, as determined by the findings of an investigation. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law. Refer to [102.26: Disciplinary Action](#) for complete policy concerning disciplinary procedures.

There are two categories of misconduct, Unbecoming Conduct and Gross Misconduct as outlined below:

A. Unbecoming Conduct

During the everyday course of work life, employees may behave in a way that brings the SFMD disrepute or reflect discredit upon the individual or the SFMD, or that which impairs the operation or efficiency of the SFMD, personnel, and/or members of the public. Such acts may result in disciplinary action up to and including termination. The SFMD does not condone and therefore prohibits any employee from engaging in any act, on-duty or off-duty including but not limited to:

1. Threatens the safety of one's self, an employee or member of the public;
2. Negatively affects the health, life, or well-being of one's self, an employee or member of the public;
3. Results in damage (whether property damage, physical damage, damage to reputation or other type of damage) to the organization, one's self, an employee, or member of the public.
4. Causes them to neglect or be inattentive to their duties.
5. Leave their assigned duty post during duty hours except when authorized by that employee's supervisor.
6. Store or bring into any SFMD facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens.
7. Possess or use any controlled substance, narcotics or hallucinogens except when prescribed for the treatment of the individual by a licensed physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed and will be on

SFMD property, the individual should immediately inform their supervisor. (Refer to [102.32: Substance Abuse](#) for complete policy concerning substance abuse.)


8. Purchase, consume intoxicating beverages, be under the influence of intoxicants or have the odor of intoxicants on their breath while in uniform or on duty.
9. Solicit from any person, business, or organization any gift including money, tangible or intangible personal property, food, beverages, loan, promise, service, or entertainment to the benefit of an individual of the SFMD.
10. Engage in, or allow to occur, any form of gambling at any time in any SFMD facility.
11. Engage in horseplay any time they are on duty either in or out of the fire station.
12. Use profane, abusive, vulgar or improper language should not be permitted at any time in dealing with the public.
13. Give statements or reports to any outside news media, agency or the general public without authorization from the Public Information Officer.
14. Make any false report or causes false information to enter into SFMD records is subject to discipline, up to, and including termination.
15. Engage or participate in the harassment of another employee(s) or engage in dispersion of rumors with regard to other employees or the SFMD.
16. Criticizes or talks derogatorily to anyone about instructions or orders received from any supervisor.
17. Failure or deliberate refusal of any employee to obey any lawful order given by a supervisor will be deemed as insubordination. Disregarding the authority of any supervisor by demonstration, disrespect, or reputing the order should likewise be deemed insubordinate.
18. Should any order conflict with any previous order issued by a supervisor or with the rules of the SFMD or with any general orders of the Fire Chief, the employee to whom the order is given should call attention to the conflict, and if the person given the conflicting order does not change same so as to remove the conflict, the order(s) should stand.
19. If so directed the latter command will be obeyed with the responsibility placed upon the person giving the new order. Communication with the person giving the original command should be pursued as soon as possible.
20. Employees should report for duty at the time and place specified, properly uniformed and equipped. Every employee who fails to appear for duty at the date, time and place specified is "absent without leave." In the event a member is absent from duty, the Division head should be notified immediately. Employees unable to report for duty or those who will be late in reporting for duty, should notify the duty officer at their assigned station at least 30 minutes prior to their scheduled duty time. Employees should not leave their assigned post unless their relief has arrived or unless relieved by their supervisor.
21. Failure to report the loss of any SFMD equipment to supervisor.

B. Gross Misconduct

In some instances, when employees violate both the spirit and the letter of SFMD Conduct Rules, such actions may constitute gross misconduct and may result in immediate termination of the employment relationship with SFMD. Gross misconduct includes but is not limited to:

1. Threatening, intimidating, coercing, harassing, or assaulting an employee or member

- of the public.
2. Sexually harassing an employee or member of the public.
 3. Carrying a weapon or concealed weapon while on-duty or causing a weapon to be brought onto SFMD property is prohibited with the exception of
 - a. When authorized and designated as part of the employees job duties.
 - b. When placed in an employee's personal vehicle not being used for District business and not visible from outside of the vehicle.).
 4. Using, duplicating, or possessing keys to the SFMD's facilities or offices within the facilities without authorization.
 5. Stealing, or attempting to steal, SFMD property, the property of another employee, or the property of a member of the public.
 6. Failure to report to emergency call back when off duty.
 7. Malicious assault or battery.
 8. Use of harsh, inflammatory, violent, profane, and/or insolent language.
 9. Failure to appear in any court in which their presence is required for SFMD business. The Fire Chief should be notified as soon as any employee is summoned or notified to appear in any court.
 10. Misuse of or damages SFMD equipment or property through gross negligence.
 11. Damaging, or attempting to damage, property of the SFMD's, an employee, or the public.
 12. Failure to obey any lawful order of a superior. This includes orders relayed from a supervisor by a third party. The appropriate standards for conduct and compliance with supervisors' directions in order to facilitate operations and maintain mutual respect and courtesy between employees and management representatives are described below.
 - a. All employees are expected to promptly perform job assignments given to them by their supervisor or other management representative.
 - b. Employees who object to an assignment or instructions are expected first to perform the task or comply with the directive. Subsequently, they may file a protest against the assignment with their supervisor or another management representative in accordance with the grievance procedures.
 - c. Verbal abuse of a supervisor, including the use of profanity or vulgarisms, name calling, threats, or ridicule, will be treated as insubordination.
 - d. Failure to obey safety rules or use required safety equipment and unreasonable refusals to work overtime.
 - e. Physical attacks by an employee on a supervisor should be punishable by discharge.
 13. Failure to report if they have been charged, arrested or convicted of a misdemeanor or felony offense. Employees may be subject to a criminal records check. Employees are required to provide the SFMD notice concerning the offense as soon as practical, and no later than 48 hours after occurrence. Notice will be provided to the following personnel:
 - a. Fire Chief
 - b. HR
 - c. Appropriate Section Manager

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.24: Harassment and Discrimination	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose


To establish SFMD strict prohibition of harassment and discrimination in the workplace.

Policy

Harassment based upon age, race, color, sex, religion, national origin, disability, pregnancy, or sexual orientation is regarded as a violation of policy. Harassment should be understood to mean a single incident or a pattern of behavior where the purpose, or the effect, is to create a hostile, offensive, or intimidating workplace environment. Harassment may encompass a wide range of behaviors, which include, but are not limited to, derogatory comments that are gender-based, racial, religious, sexual, ethnic or disability based in nature.

It is every employee's responsibility to act in a manner that will create and maintain a workplace environment that supports diversity and is free from all harassment and discrimination. Supervisors, in particular, are expected to prevent harassment and discrimination and to support this policy. The SFMD must have a skilled, capable, committed and fully engaged work force with a wide range of backgrounds and views to meet and exceed our employee's and customer's expectations.

It is important for employees to report any incident in which they feel they have been the recipient of harassment or discrimination or where they observe harassing or discriminating behavior in the workplace. Complaints should be reported to the appropriate supervisor, HR or the Fire Chief. The SFMD will not tolerate behavior that is inconsistent with this policy and will take appropriate action to prevent such behavior up to and including termination. Retaliation against an employee who files a complaint of harassment and/or discrimination is prohibited.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.25: Sexual Harassment	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

The SFMD remains firmly committed to maintaining a healthy and positive work atmosphere for its employees. The first step in preserving a healthy and positive work atmosphere is to maintain an official awareness of actions and events that may adversely affect that atmosphere.

Conduct affecting the employees and involving sexual innuendo, sexual overtone or physical contact that may be interpreted as sexual in nature may cause individuals involved to feel that they are being subjected to hostile work environment. Such conduct may involve physical contact or it may be totally verbal. The SFMD will not tolerate such conduct towards its employees and is strictly prohibited.

Policy

The Fire Chief and all employees are responsible for creating an atmosphere in which sexual harassment is not tolerated and taking immediate and appropriate reporting, that no reprisals are taken against either those who report or participate in an investigation

HR is responsible for auditing the operation of this policy, providing counsel, and resolving any unsettled questions which may arise from this policy.

A. Sexual Harassment Defined

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or reaction of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unintentional harassment, or conduct that is intended to be innocent, may still constitute sexual harassment if it falls within the terms of this policy. If any employee expresses concern that your behavior may have violated this policy, please respect their concerns regardless of your intent.

B. Examples of Sexual Harassment

SFMD prohibits, forbids, and does not tolerate any member, manager or visitor, male or female, to harass a member or to create a hostile or intolerable working environment by exhibiting, committing or encouraging conduct such as, but not limited to:

1. Direct or implied threats that submission to sexual advances will be a condition of employment to continued service with the SFMD;
2. Material such as pornographic or sexually explicit posters, calendars, graffiti, or

- objects;
3. Unwanted, unwelcome, and unwarranted sexual advances, including, but not limited to, request, comments, or innuendoes regarding sex, sexual jokes, gestures, statement e-mail or voicemail messages, leering or stalking;
 4. Intentional, malicious or unwelcome physical conduct that is sexual in nature, including, but not limited to touching, pinching, patting, brushing, massaging someone's neck or shoulders and/or pulling against another body or clothes; and
 5. Physical assaults on other members, including but not limited to rape, sexual battery, molestation, or any attempt to commit such acts.

Procedure

A. Reporting Procedure

If you are aware of sexual harassment taking place, you must immediately discuss your questions, problems, complaints, or reports with your direct supervisor. If you feel the problem, or ignores the problem, immediately report to the Fire Chief, HR, or other Section Manager. Employees are not required to directly confront the person who is the source of the report, question, or complaint before notifying any of these individuals listed.

B. Investigation of Complaints

Upon receipt of written notice the SFMD is committed to investigating the complaint and taking immediate appropriate corrective action on any confirmed violation of this policy.

HR and the appropriate Section Manager are responsible for thoroughly investigating and resolving any complaints.

SFMD reserves the right and hereby provides notice that third parties may be used to investigate sexual harassment claims.

C. Appeal of Determination


Employees who are dissatisfied with investigator's determination of sexual harassment complaint may appeal the determination directly to the Fire Chief.

D. Retaliation and False Allegations

SFMD prohibits retaliation made against any employee who reports sexual harassment, or who participates in any related investigation. SFMD recognizes that making false accusations of harassment in bad faith can have serious consequences for those who are wrongly accused. SFMD prohibits deliberately making false and/or malicious harassment allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

E. Harassment Prevention Training

The SFMD will conduct periodic sexual harassment awareness training for all supervisory and managerial personnel. Supervisors and managers will be responsible for providing policy on sexual harassment, as well as cover procedures for reporting and investigating sexual harassment conditions. In addition, employees will be informed of their responsibilities and of the measures they can take to protect themselves and their co-workers from episodes of sexual harassment. HR is responsible for auditing the operation of this policy, providing counsel, and resolving any unsettled questions which may arise from this policy

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.26: Corrective Action and Discipline	
	Effective Date: 2005	Revision Date: April 2017
	Approved by: Administrative Services	

Purpose

The purpose of this policy is to outline steps and procedures to follow when supervisors/managers initiate corrective action, whether non-disciplinary or disciplinary, in response to an employee's conduct. This includes matters such as; an employee's poor work performance, inappropriate conduct, violation of any SFMD policy or procedure to include the organizations Declaration of Ideals, Code of Conduct or Oath of Office

Policy

Regardless of the method of corrective action utilized, the intended purpose of corrective action is to ensure employee conduct is consistent with the District's expectations for conduct and behavior as outlined in the; SFMD's Declaration of Ideals, Code of Conduct, Oath of Office, Risk Management Plan, policies and procedures.

Guidelines

- A. The application of corrective action seeks to improve the performance of the employee.
- B. Where self-discipline is insufficient, corrective action may be necessary and should be administered in a fair and consistent manner.
- C. The corrective action selected shall be in line with the nature and severity of the employee's conduct.
- D. Once the need for corrective action is identified the employee's supervisor, or other supervisor assigned to the matter, has a duty to discuss the conduct with the employee in a timely manner. The supervisor(s) shall be responsible to document the incident/conduct, any related discussions, and to determine the appropriate level of corrective action or discipline.
- E. Employees are encouraged to consult with an employee representative upon notification of their supervisor's intent to administer disciplinary action.
- F. Supervisors are responsible for documenting an employee's conduct including but not limited to poor performance and/or inappropriate behavior and to follow-up with the necessary degree of coaching, counseling or corrective action and discipline.
- G. Supervisors are responsible to consult and work closely with the HR Office and their chain of command before implementing disciplinary corrective actions.
- H. Supervisors should provide reasonable notice (minimum 24 hours) to employees who will be receiving significant corrective action and/or discipline, except in cases where immediate administrative leave is warranted. Supervisors should also remind the employee that they may consult with an employee representative prior to the anticipated action.
- I. At the employee's request, they shall be permitted to have an employee representative present (as outlined per [Policy 102.28](#)) when receiving significant corrective action and/or discipline,

to include: a PIP, written reprimand, disciplinary probation, suspension, demotion, and/or termination.

- J. The role of the employee representative is to support an employee during the course of corrective action or discipline with regard to application of District rules, policies and best practices.
- K. Employees on disciplinary probation will not be eligible for merit raises or promotional testing until their probation is complete.

Procedure

Non-Disciplinary Corrective Action

Depending on the severity of the issue, supervisors may choose to initiate different levels of non-disciplinary corrective action in response to poor performance or inappropriate behavior. Initiation of these types of actions is generally given for problems related to first time performance deficiencies or other minor offenses. An employee's history of non-disciplinary action will be taken into consideration when evaluating the need for additional corrective actions. Supervisors may choose to engage in one or more of the following non-disciplinary corrective actions:

A. Verbal Counseling

Supervisors are encouraged to provide "in the moment" feedback to employees whenever possible. Supervisors are strongly encouraged to make Supervisor Notes of verbal counseling's of employees for future reference. These notes are the supervisor's and should not be placed in an employee's file.

B. Written Counseling

Signed by the employee (or witness) and must be forwarded to the HR Office for inclusion in the employee's official personnel file. Written Counseling should be used in response to more serious violations or repeated problems.

C. Performance Improvement Plan (PIP)

A written plan that clearly identifies an employee's performance problems, the goal of the plan, pertinent background information and the specific steps or performance expectations the employee must satisfy. The PIP should also identify potential consequences for failing to complete the plan successfully. PIP's must be signed by the employee or witness and forwarded to the HR Office for inclusion in the employee's official personnel file.

- a. **Note:** Supervisors are encouraged to consult early and work closely with the HR Office and their chain of command before developing any Performance Improvement Plan.

Disciplinary Action

The hierarchy of discipline is used as a tool for progressive employee performance modification. The supervisor may implement discipline at any level in the hierarchy dependent upon the extent or gravity of employee misconduct. The severity of a single behavior may necessitate the need for significant discipline, up to and including termination of employment. An employee's history of all corrective and/or disciplinary actions will be taken into consideration when imposing disciplinary action.

- A. Discipline may be given when an employee has engaged in conduct, including poor performance or failure to respond to non-disciplinary action, even if it is a first time offense. These offenses may include but are not limited to violations of an employee's poor work performance; inappropriate conduct; violation of SFMD policy or procedure, to include the organization's Declaration of Ideals and Code of Conduct.

- B. Discipline may also be appropriate when the employee's performance continues to be deficient after he/she has been notified and given an opportunity to correct the performance problem.
- C. Discipline may also be considered when an employee's poor performance or judgment exposes the employee or his/her co-workers to danger; or exposes the District to unnecessary embarrassment or liability.

Employees may be subject to the following levels of discipline:

- a. Written Reprimand
- b. Disciplinary Probation
- c. Suspension
- d. Demotion
- e. Termination

A. Written Reprimand

The immediate supervisor may issue a written reprimand to the employee documenting and addressing the employee's conduct.

B. Disciplinary Probation

The immediate supervisor, with notification to the Section Manager and HR and with the approval of the Fire Chief, may place an employee on Disciplinary Probation which may include a Performance Improvement Plan, for an appropriate number of observable shift/work days; not to exceed 120 observable shifts for 56-hour personnel and 198 work days for 40-hour personnel. With approval of the Fire Chief, disciplinary probation may be extended for up to an additional appropriate number of observable shift/work days. Disciplinary probation will end with one of three possible dispositions; (1) the probation ends, (2) the employee is demoted, or (3) the employee is terminated.

C. Suspension

The immediate supervisor, following notice to the Section Manager and HR and with approval of the Fire Chief may suspend an employee from for a disciplinary purpose. Suspension without pay in excess of one work day (24 hours for 56-hour personnel and 10 hours for 40-hour personnel) requires no less than four administrative working days advance written notice of the proposed action and must:

- 1. Include the date the suspension will begin and for how long a period it will last, along with the specific grounds and particular facts upon which the action is predicated.
- 2. Inform the employee of their right to respond to the proposed action and their right to receive a copy of the written materials alleged to support the action.
- 3. Advise the employee that they may appeal this decision in accordance with [Grievance Procedure 102.30](#), Matters Subject to Formal Grievance Procedure.

D. Demotion

The immediate supervisor upon notification to the Section Manager and HR, and with approval of the Fire Chief, may demote an employee whose performance falls below standard or for disciplinary purposes.

The employee must receive advanced written notice of the proposed action to demote, no less than four administrative working days prior to the effective date. This notice must:

- 1. Include the date of the demotion will be effective, the specific grounds and particular facts upon which the action is predicated.

2. Inform the employee of their right to respond to the proposed action and their right to receive a copy of the written materials used to support the action.
3. Advise the employee that they may appeal this decision in accordance with [Grievance Procedure 102.30](#), Matters Subject to Formal Grievance Procedure.

E. Termination

Upon approval of the Fire Chief, an employee's employment may be terminated.

Disciplinary Records

Disciplinary/non-disciplinary corrective actions are public records which will remain part of an employee's Personnel Files. [A.R.S. 39-128](#) may be amended from time to time and is incorporated into this policy as a reference. As of the date of this policy, the statute states:

"Disciplinary records of public officers and employees; disclosure; exceptions"

"A public body shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving public officers or employees of the public body. The records shall be open to inspection and copying pursuant to this article, unless inspection or disclosure of the records or information in the records is contrary to law."

Definitions

Supervisor Note – A Supervisor Note is an entry made by a supervisor, which documents something about an employee's performance. These entries may be positive or negative. Supervisor Notes serve as a memory recall tool for performance evaluations and/or future corrective action/discipline. Using Supervisor Notes makes it easier to remember important events or occurrences that might later be relevant in performance evaluations or other actions. Employees do not sign Supervisor Notes. These are the working notes of a supervisor that may potentially be referenced at a later time.

Demotion – Demotion is the movement of an employee from their current classification to a lower classification. An employee can only be demoted into an open position in a classification previously held by the employee. The Fire Chief or his/her designee may demote an employee. Demoted employees may be placed on disciplinary probation for an appropriate number of observable shift/work days, not to exceed 120 observable shifts for 56-hour personnel and 198 work days for 40-hour personnel. Demoted employees may be placed on Performance Improvement Plans as part of the disciplinary probation.

Discipline – Formal action taken by a supervisor as a disciplinary measure in response to significant displays of poor and/or unacceptable performance. Examples include written reprimands, suspension, demotion, and termination.

Disciplinary Probation – Disciplinary probation is intended to notify the employee that any act(s) by the employee, which could result in further disciplinary action, occurring while the employee is on disciplinary probation, may be grounds for demotion or termination. While on disciplinary probation, an employee will not receive merit raises and will not be eligible to participate in promotional testing opportunities. Disciplinary probation may accompany any portion of the hierarchy of discipline.

Non-Disciplinary Corrective Action – Action taken by a supervisor or manager that is not considered discipline. These actions include, but are not limited to, coaching/verbal counseling, written counseling, and/or performance improvement plans.

Performance Improvement Plan (PIP) – A written plan that alerts an employee about a performance problem and identifies a period of time to correct the deficiency. The plan outlines the supervisor's performance expectations, steps to be completed by the employee, and notifies the employee of potential

consequences for failing to complete the plan successfully.

Progressive Discipline – The practice of initiating discipline at the lowest appropriate level and advancing to higher levels in response to employee conduct and which is intended to provide the employee with notice and opportunity to correct unacceptable behavior. Although supervisors are encouraged to adhere to progressive discipline, they are not required to do so. The nature and severity of the conduct, including the employee's history, are considerations which may warrant overriding some or all steps of progressive discipline. Certain serious infractions may require severe disciplinary action without receiving a lesser discipline first. Progressive discipline does not necessarily begin again for subsequent misconduct of a different nature.


Suspension – The employee is released from work duties without pay for a specified period of time not to exceed 30 consecutive calendar days or 30 total days in a fiscal year. Any suspension without pay must be approved by the Fire Chief.

Termination – An *Intent to Discipline* notice must be signed by the employee or a witness and forwarded to the HR Office for inclusion in the employee's official personnel file. The Fire Chief or his/her designee may terminate employment. Terminated employees will not be eligible for future employment with the SFMD.

Verbal Counseling – Verbal notification from a supervisor to an employee regarding unacceptable performance, behavior or conduct including the potential consequences should the conduct continue. The supervisor providing the counseling is responsible for documenting the date and nature of the conduct with a supervisor note in the supervisor's workstation file for that employee.

Written Counseling – Written Counseling is a written notification from a supervisor to the employee, signed by the issuing supervisor with acceptance acknowledged by the employee, which clarifies and summarizes discussions and expectations of the supervisor regarding the employee's conduct. The employee's signature documents he/she has been notified of the problem and has received a copy of the written counseling. Written Counseling's must be forwarded to the HR Office for inclusion in the employee's official personnel file. Supervisors are encouraged to use this option when dealing with situations having serious potential of future disciplinary action.

Written Reprimand – Written Reprimands are issued by supervisors to document employee conduct, including but not limited to one-time conduct, a pattern of conduct or performance problems. Willful violations of policies / procedures, or continued performance problems may also be grounds for issuing Written Reprimands. Written Reprimands are signed by the employee or a witness (if the employee refuses to sign), and must be forwarded to the HR Office for inclusion in the employee's official personnel file.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.27: Mandatory Supervisory EAP Referral	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

The SFMD recognizes that employees may sometimes face problems they cannot effectively handle. Life issues become overwhelming and affect performance at work. When this occurs, professional help may be needed to resolve the problem. The goal of this program is to provide employees and their supervisors with the best available solution for job performance difficulties.

Policy

- A. To refer employees to the SFMD's employee assistance provider (EAP) when deemed necessary due to job performance difficulties, or when the employee's supervisor and/or HR determines it is in the best interest of the SFMD to refer the employee to EAP.
- B. The referring supervisor must have the approval of HR prior to the referral being made.
- C. After receiving the approval, the supervisor may then contact the employee regarding the SFMD mandated referral.
 1. Referral Agreement:
 - a. If the employee agrees to the employee assistance referral, the supervisor will contact the HR Office, supply background information, and HR will schedule the appointment.
 - b. Under no circumstance will the supervisor request the employee or EAP to process a release of information form. All employee communication with the EAP will be held in strict confidence and the EAP will not disclose such communications to the supervisor or the SFMD except those specifically authorized by the employee, dependent, or as required by law.
 - c. All EAP office visits for SFMD mandated referrals will be scheduled during the employee's duty hours.
 2. Referral Refusal:
 - a. The employee has the right to refuse the referral and may do so by advising the referring supervisor directly.
 - b. Upon refusal, the matter will follow the SFMD's informal grievance procedure.

Problem Behavior

- A. Personal Concerns
 1. When continuing to repetitive patterns of poor job performance appear, documentation is essential to facilitate intervention. Supervisions are encouraged to thoroughly document.

2. Problem behaviors include but are not limited to:

a. Absenteeism

- Multiple instances of unauthorized leave.
- Frequent Monday/Friday absences.
- Excessive tardiness (in the morning and after lunch).
- Leaving work early.
- Improbable excuses for absences.
- Excessive sick leave.

b. “On-the-Job” Absenteeism

- Frequent trips to restroom or water fountain.
- Long coffee and/or smoke breaks.
- Physical illness on the job.
- More absence from post than job requires.

c. High Accident Rate

- Frequent accidents on and off the job.
- More accident claims than other employees.
- Excessive traffic citations.

d. Difficult in Concentration

- Work requires greater effort.
- Jobs take more time.

e. Confusion

- Difficulty recalling details and instructions.
- Increased difficulty in handling complex assignments.

f. Spasmodic Work Patterns

- Alternate periods of high and low productivity.
- Increased difficulty in handling complex assignments.

g. Changes in Appearance

- Reporting to work in abnormal condition.
- Change in grooming/dress.

h. Generally Lowered Efficiency


- Missed deadlines.
- Mistakes due to inattention or poor judgment.
- Wasting material.
- Complaints from customers.
- Improbable excuses for poor job performance.
- Neglects routine details.

i. Poor Relationships on the Job

- Borrowing money from co-workers.
- Over-reaction to real or imagined criticism.
- Unreasonable resentment.
- Avoiding co-workers, boss, or associates.

B. Substance Abuse

1. Drug and alcohol causes job performance to fluctuate and creates safety problems. You need to recognize the warning signs to be part of the solution, not part of the problem.
2. Suspected substance abuse falls under policy [102.32 Substance Abuse](#) and is not to be misconstrued with an employee assistance referral. Employees will not be subject to discipline for voluntarily acknowledging their drug/alcohol problems. However, this will not excuse violations of the drug and alcohol SOG for which the employee is subject to discipline.
3. Behavior
 - a. Drop in productivity (as a result of)
 - Excessive absences without advance notice.
 - Inefficiency due to lack of sleep, motivation, or attention to details.
 - In consistent work patterns (short, temporary bursts of energy followed by depression or fatigue).
 - Spills, breakage, damage to equipment.
 - Irritability and inability to get along with co-workers.
 - Stress, fights, and bad relations caused by abusing employees not shouldering their share of responsibility.
 - Lack of concentration due to marital, family, financial, and legal problems.
 - b. High Accident Rate
 - Fatigue or hyperactivity.
 - Distorted perception.
 - Reduced ability to think clearly and use good judgment.
 - Impaired manual skills and coordination.
 - Safety regulations ignored.
 - c. Theft
 - Loss of machinery and expensive equipment.
 - Embezzlement.
 - Mistakes in counting money and inventory.
 - Confidential information or trade secrets given away in exchange for money or drugs.

 Administrative Policy	Series: 102	Volume I: Administrative Policy	
	102.28: Investigation of Employee Behavior		
	Effective Date:	December 2015	Revision Date: December 2015
	Approved by: Administrative Services		

Purpose

This policy establishes a process for conducting investigations of alleged or confirmed employee conduct which may include violations of SFMD policies, procedures, orders, and directives.

The SFMD is committed to maintaining a positive and productive work environment in support of the organization's stated mission, vision and values. Maintaining a positive and productive work environment requires each employee to conduct themselves in a manner that conforms to the rules and regulations of the organization. To ensure the public interest is served and a high level of citizen confidence and trust is maintained, the SFMD has established the following policy.

Policy

It is the policy of the SFMD to investigate allegations of employee misconduct which may violate policies, procedures, orders, and directives (referenced collectively herein as policy). The goal of this policy is to ensure a fair and consistent process for all employees, supervisory, and management personnel.

The SFMD's management team is committed to working in good faith with all employees to resolve issues of policy violation. SFMD management and the employees of the organization are committed to a corrective-action and disciplinary process based upon just cause and fair and equitable treatment for all employees.

Employee misconduct investigations are divided into two phases: Investigative and Review.

Procedure

Investigative Phase

During the investigative phase initial notifications are made, preliminary fact-finding occurs, employee work status is determined, and an investigator is assigned to investigate the matter. The central contact for all policy investigations and related employee matters is the HR Office. The HR Office, under the direction of the Fire Chief, will ensure due process and consistency in the handling of investigations.

- A. Except for claims of sexual harassment, the primary investigator may be the employee's supervisor, section manager or a person or entity designated by the Fire Chief and selected in cooperation with Labor. The primary investigator will be responsible for the following:
 1. Notifications to the employee, the employee's immediate supervisor and the HR Office. Where appropriate, the employee's chain of command should also be notified of the pending investigation.
 2. Determine the employee's work status.
 3. Gathering relative information, conducting fact-finding interviews and performing more formal investigations where deemed necessary. These efforts may include interviews with the employee as well as witnesses to help determine the facts

surrounding the alleged misconduct.

4. In situations where the employee or the investigator reasonably believes that discipline may result from the interview, the employee may request an employee representative. The investigator should allow the employee a reasonable amount of time to have a representative present. If the employee cannot secure a representative within a reasonable timeframe, the interview will commence as scheduled. The investigator will use the following guidelines concerning an employee's right to representation:
 - a. The employee must make a clear request for representation before or during the interview. The employee cannot be punished for making this request.
 - b. The representative must be a non-supervisory co-worker.
 - c. This right does not exist unless the employee reasonably believes that they may be subject to discipline as a result of the interview.
 - d. This right is not extended to those asked to provide statements as a potential witness.
 - e. The interview must be investigatory in nature. A meeting called for the sole purpose of issuing discipline does not give rise to the right for representation.
 - f. A disciplinary meeting may become investigative if the supervisor begins to ask fact-finding questions of the employee.
 - g. The right to a representative is not automatic. The employee must ask to have another person present. The investigator does not have an obligation to inform employees of their right to representation.
 - h. The investigator has no obligation to negotiate with a representative. The representative may ask clarifying questions and otherwise reasonably participate in the interview but cannot interfere with the investigation or the interview itself. The representative may not interfere in the inherent employee/employer relationship.
 - i. The representative has the right, upon request, to be informed of the subject matter and to be given an opportunity to consult with the employee prior to the interview.
 - j. The SFMD will honor an employee's request for representation whenever possible. Denying an employee's reasonable request may be considered an unfair labor practice.
 - k. After an employee requests representation, the employer may choose from among three options:
 - l. Grant the request and delay questioning until the representative arrives and has an opportunity to consult privately with the employee.
 - m. Deny the request and end the interview immediately.
 - n. Provide the employee the choice between having the interview without representation or ending the interview.
 - o. If the specific representative requested by the employee is not available, the investigator may choose to postpone the interview until the individual is available or may bring a different representative into the interview.
- B. The SFMD may reach conclusions in the investigation without having interviewed the employee.

- C. Upon completion of the fact-finding investigation, the investigator, with approval of the HR Office, may remand the matter to the employee's immediate supervisor for disposition.
- D. Employees are prohibited from discussing the investigation with anyone other than their representative or those deemed to be directly involved in the facilitation of the investigation.
- E. Depending upon the circumstances or severity of the initial findings, the investigator may recommend to the Fire Chief the need to secure the services of a professional third-party investigator.

Review Phase

The review phase will ensure the application of fair and consistent discipline. During this phase, the primary investigator will be responsible for the following:


- A. Forwarding the completed investigation report and all supporting documents, evidence, findings and disciplinary recommendations to HR. The recommendation for disciplinary action will comply with policy [102.26 Corrective Action and Discipline](#). HR shall review the report and draft a summary to be shared with the employee and their chain of command.
- B. HR will then meet with the employee to share their summary of the findings and recommended discipline and explain the next steps.
- C. HR upon receipt of the investigation report and after preliminary review will establish a pre-disciplinary review panel, only in cases where the recommended discipline includes suspension, demotion or termination.

Pre-Disciplinary Review Panel

- A. The panel should include three officers/managers (not including the investigator), and be facilitated by HR. A fourth non-voting position should also be considered as someone who can bear witness to the fairness and validity of the review process. This person may be a union representative or employee peer.
- B. The panel is responsible for reviewing the written investigative report and determining the extent of policy violation, and whether the recommended discipline is fair and consistent. The review panel will forward the investigation report, panel recommendations and comments to the Fire Chief.
- C. The Fire Chief will review the investigation report and pre-disciplinary review panel recommendations and comments. The Fire Chief may approve the recommendations made by the investigator or pre-disciplinary review panel or remand the matter back to the investigator or pre-disciplinary review panel for alternative recommendations. Once the Fire Chief has approved the recommended discipline, the matter shall be forwarded to the appropriate supervisor / manager for disposition.
- D. Subsequent to the administration of discipline, the employee has the right to grieve pursuant to [Policy 102.30; Grievance Procedures](#).

Garrity Warning

If during the investigative phase the investigator determines the issue may be criminal in nature, the Fire Chief will be notified immediately. The Fire Chief will confer with the SFMD's counsel and/or the Pinal County Attorney's office to determine whether or not Garrity type warnings should be given as part of the investigation process. The Fire Chief may request a law enforcement official be added to the investigation. Concurrent administrative and criminal investigations may be conducted.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.29: Administrative Leave	
	Effective Date: July 2014	Revision Date: July 2014
	Approved by: Administrative Services	

Purpose

The Fire Chief may authorize administrative leave when it is believed to be in the best interest of the District and/or its employee(s). This category includes but is not limited to those acts described in the Employee Conduct section.

Policy

Administrative leave serves to protect the confidentiality of both employees and the organization and is intended to help preserve the reliability and accuracy of information collected during an investigation. Administrative leave may be necessary when the Fire Chief determines an investigation or fact-finding mission is warranted and where the integrity of that investigation could be compromised by employee contact.

Process

Administrative leave will be classified as administrative leave with pay and is considered temporary. The duration of administrative leave is dependent on many factors and will be evaluated on a case by case basis. Whenever possible, an employee being placed on administrative leave should be advised of the purpose, scope, and potential time frame of the administrative leave.

Employees placed on administrative leave shall be “retrievable” and able to respond to a request from the organization within a reasonable time frame as defined in the administrative leave agreement. The employee will generally be required to be at home during the scheduled work time during the administrative leave which may be subject to verification. Employees placed on administrative leave that need to attend personal business during their regularly scheduled shift/work day must use earned leave for such purposes and must obtain authorization from the Assistant Chief of Administrative Services or his/her designee before such leave is utilized.

Any personal obligations, out of town travel, or other conditions that could prevent the employee from being retrievable during the course of their leave should be reported to the Assistant Chief of Administrative Services or their designee as soon as possible. Any prescheduled vacation or obligations will be reasonably accommodated whenever possible to do so. An employee on administrative leave shall have no unauthorized contact with another Superstition Fire & Medical District (SFMD) employee and is restricted from visiting any SFMD work site. Should it become necessary to contact the SFMD, only the contact(s) authorized in the administrative leave agreement will be permitted within the scope of this policy.

An employee being placed on administrative leave will be required to complete and sign the [SFMD Administrative Leave Agreement](#).



Superstition Fire & Medical District

Administrative Leave Agreement



The Fire Chief may authorize administrative leave when it is believed to be in the best interest of the District and/or its employee(s). Administrative leave serves to protect the confidentiality of both employees and the organization. It is intended to help preserve the reliability and accuracy of information collected during an investigation. Administrative leave may be necessary when the Fire Chief determines an investigation or fact-finding mission is warranted and where the integrity of that investigation could be compromised by employee contact.

An employee placed on administrative leave shall be “retrievable” and able to respond to a request from the organization within a reasonable time frame as defined in this administrative leave agreement. In most cases, requests from SFMD will be scheduled during traditional business hours which include Monday – Thursday, 7:00 a.m. – 6:00 p.m. Although rare, some meetings may have to occur outside this time frame if the Superstition Fire & Medical District (SFMD) determines it necessary.

This agreement may be altered or edited at the request of either party to tailor its contents and conditions to better benefit the nature of the investigation and/or the interests of the parties involved.

SFMD understands circumstances may occur outside one’s control that could prohibit an employee from meeting some of the requirements in this agreement. Those circumstances will be evaluated on a case-by-case basis with the understanding that the employee is duty-bound to make every reasonable effort to adhere to these conditions.

For the purposes of this agreement, the following conditions will apply (please initial on appropriate line):

_____ EE HR	1. I understand that while on administrative leave, I should have no unauthorized contact with another SFMD employee (within my control) and that I am restricted from visiting any SFMD work site. This includes contact via social media. I also understand that should it become necessary to contact the SFMD that I may only contact the persons authorized in this agreement under Condition #2.
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_____ EE HR	2. I understand that only the following persons are authorized as primary points of contact for the SFMD, this includes an employee representative (if utilized):

Employee Representative (s): _____

_____ EE HR	3. I understand during this administrative leave I will generally be required to be at “home” during my regularly scheduled work time and that this condition may be subject to verification by telephone, home visit or by some other means.
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_____	4. I claim the following address(s) as “home” during the course of this leave:
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EE	HR
----	----

EE	HR
----	----

5. I understand that I must utilize earned leave for any personal obligations, travel or business that requires my presence outside my home during my regularly scheduled work shift. I also acknowledge that I must first notify and obtain authorization from HR or his/her designee before such leave is utilized. Prescheduled vacation or other obligations will be reasonably accommodated whenever possible to do so.

EE	HR
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6. I'm claiming the following dates as "prescheduled vacation" as verified with Telestaff and/or my supervisor:

EE	HR
----	----

7. I understand that while on administrative leave, during my normal work hours, I am considered to be "at-work" and "on-duty" and therefore subject to all applicable federal, state and local laws and SFMD policies and procedures.

EE	HR
----	----

8. I understand that I must be "retrievable" during the course of this administrative leave and that my presence may be requested by SFMD at any time to facilitate the administration of this investigation. Retrievable will imply that when my presence or response is requested by my employer that I am (within reason) willing and able to respond to phone calls, text messages, voice mail messages and/or respond in-person to a designated meeting location.

EE	HR
----	----

9. I claim the following "personal obligations" that may prevent me from being retrievable during my administrative leave and which may prevent me from meeting some of the obligations stipulated in this agreement:

EE	HR
----	----

10. The following are "other conditions" that may prevent me from being retrievable during my administrative leave and which may prevent me from meeting some of the obligations stipulated in this agreement:

--	--

EE

HR

11. For purposes of this agreement, I agree to respond to:

a. Phone, voice or text communications within the hours of:

b. Requests for in-person meetings within the hours of:

EE

HR

12. I understand any time I'm requested to be on-site and meet in-person outside my regularly scheduled work time, I will be compensated in accordance with SFMD payroll practices which may result in compensation at one and one half times my normal rate of pay.

EE

HR

13. I acknowledge that I have been advised of the reason(s) for this administrative leave. I have been advised of the following:


Employee signature below acknowledges that the conditions of this agreement have been discussed and agreed upon.

Employee Signature

Date

HR Signature

Date

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.30: Grievance Procedure	
	Effective Date: 2005	Revision Date: December 2015
	Approved by: Administrative Services	

Purpose

To establish a process by which unresolved employment matters can be appealed up the chain of command and considered for further review.

Policy

Whenever possible, employment issues and disagreements should be resolved with the employee's immediate supervisor before escalating the matter through the grievance procedure.

Matters Subject to Informal Grievance Procedures

All employees have the right to informally grieve an employment issue. Any matter not defined as a termination, demotion, or suspension is subject to an informal grievance. Employees are strongly encouraged to resolve issues and discuss matters with their immediate supervisor first.

If after discussing the matter with the employee's supervisor, the employee does not believe the problem has been satisfactorily resolved, the employee has the right to grieve the issue to their supervisor and potentially up the chain-of-command.

Matters Subject to Formal Grievance Procedures

Employees with the SFMD have the right to appeal by way of formal grievance an administrative decision significantly affecting their employment. The only actions which are deemed to significantly affect employment are termination, demotion, and suspension wherein the employee shall suffer the loss of more than one day's pay (24 hours for 56-hour personnel; and 10-hours for 40-hour personnel).

Procedure

Informal Grievance Procedures

- A. The grievance shall be presented in writing to the immediate supervisor within 7 calendar days of the date of notification of the aggrieved action.
- B. The grievance should clearly explain the issue as well as the employee's rationale for disagreeing with the action.
- C. Upon receiving the grievance, the immediate supervisor will provide the employee with a written notice of receipt, preferably by email. The immediate supervisor will then forward the informal grievance to the employee's second line supervisor for review and recommendation.
- D. The supervisor will plan to meet with the aggrieved employee to discuss the disciplinary action as soon as reasonably possible.
- E. After meeting with the aggrieved employee and reviewing their informal grievance, the supervisor may sustain, reject, or modify the action invoked against the employee.
- F. The supervisor should render a decision and comments in writing to the aggrieved employee within seven (7) calendar days after receiving the informal grievance.

- G. Upon receipt of the supervisor's decision, and if the aggrieved employee feels the issue is still unresolved, may forward their written appeal to the second line supervisor within seven (7) calendar days after receipt of the written decision from the immediate supervisor.
- H. The second line supervisor should render a decision and comments in writing and return them to the aggrieved employee within seven (7) calendar days after receiving the employee's appeal.
- I. The second line supervisor's decision will be final.


Formal Grievance Procedures

- A. The grievance shall be presented via district email or in person to HR and the immediate supervisor within ten (10) calendar days of the effective date of the disciplinary action.
- B. The grievance should clearly explain the disciplinary action being appealed as well as the employee's rationale for disagreeing with the disciplinary action.
 - a. Upon receiving the grievance, HR will provide the employee with a notice of receipt, preferably by email. HR will then forward the document(s) to the employee's second line supervisor for review and recommendation.
 - b. The second line supervisor will meet with the aggrieved employee to discuss the disciplinary action.
- C. After meeting with the aggrieved employee, the second line supervisor may sustain, reject, or modify the disciplinary action.
- D. The second line supervisor should render a decision with their supporting comments in writing and return them to the aggrieved employee and HR within ten (10) calendar days after receiving the grievance.
- E. Upon receipt of the second line supervisor's decision, and if the aggrieved employee feels the matter is still unresolved, they may forward their appeal in writing to HR and the next senior officer within seven (7) calendar days after receipt of the written decision from the second line supervisor.
- F. The next senior officer may choose to also meet with the employee and should render a decision with supporting comments in writing and return them to the aggrieved employee and HR within seven (7) calendar days after receiving the appeal.
- G. Upon receipt of the next senior officer's decision, and if the aggrieved employee feels the matter is still unresolved, they may forward their appeal in writing to HR and the Fire Chief within seven (7) calendar days after receipt of the written decision from the next senior officer.
- H. The Fire Chief should render a decision in writing and return them to the aggrieved employee and HR within seven (7) calendar days after receiving the appeal.
- I. Any appeal beyond the Fire Chief will be subject to [Policy 102.31: Appeal Hearing](#).

Other Expectations of the Grievance Process

- A. Time limit extension requests from any involved party should be submitted as soon as possible before the time limit deadline and as a written request to the Fire Chief. Extension requests shall include the newly proposed time limit as well as rationale for the request. The Fire Chief will review and respond to the time limit extension request as soon as reasonably possible. The Fire Chief will advise all involved parties of the request and any approved time line changes.
- B. Failure by the aggrieved employee to meet the time limit constraints outlined in this policy will constitute a withdrawal of the aggrieved employees appeal.
- C. Failure by management to meet the time limit constraints outlined in this policy does not constitute a dismissal of discipline.

- D. Failure by management to meet an appeal deadline as outlined in this procedure will be considered a serious violation of policy and will be dealt with accordingly by the Fire Chief.
- E. Any proposed discipline will be effective from the date of expiration of the aggrieved employees last appeal opportunity.
- F. The employee may request the assistance of another person of the employee's own choosing in preparing and presenting an appeal at any level of review.
- G. The employee and the employee's representative may be privileged to use a reasonable amount of work time as determined by the appropriate battalion chief or section manager in conferring about and presenting the appeal.
- H. An appeal, once dropped through action by the employee, or through failure on the employee's part to pursue the grievance, cannot be re-instituted. Once the appeal process has been concluded the appeal is not subject to reassignment through the grievance procedure.
- I. Employees should be assured freedom from reprisal for using the grievance procedures.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.31: Appeal Hearing	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Right of Appeal

1. Only those matters subject to a formal grievance proceeding should be eligible for an appeal hearing.
2. The governing board, through an intergovernmental service agreement has retained the [Office of Administrative Hearings \(OAH\), State of Arizona](#), for the purpose of conducting appeal hearings under these rules.
3. The OAH will appoint a competent and experienced administrative law judge (ALJ) according to the expertise of the AJL to hear the appeal.
4. All appeal hearings will be held at the Phoenix location of the OAH.
5. The ALJ should determine if the appeal is allowed under SFMD Volume I and should not consider appeals not covered by these rules.
6. The appointed ALJ of the OAH will conduct a fair and impartial hearing for all parties concerned under the general guidance of the Uniform Administrative Hearing Procedures of Title 41 and the rules of the OAH.

B. Method of Appeal

Requests for an appeal hearing shall be in writing and must be filed with HR within five (5) working days of the final decision of the Fire Chief in a matter presented as a formal grievance.

The request for an appeal hearing should be clearly explain the matter appealed, and should set forth a brief summary of the final action taken by the Fire Chief as well as the employee's reasons for disagreeing with that final action.

C. Notice

Upon receipt of the request for an appeal hearing, HR will contact the OAH who should schedule a time for an appeal hearing for a date not to exceed 45 days of a request from the fire district.

HR will provide written notification to the respective parties of the scheduled hearing, incorporating the date, time, and location of the hearing as scheduled by the OAH, including notice that the matter has been transferred to the OAH pursuant to this rule.

Procedure

A. Pre-Hearing Procedure

1. Pre-Hearing Statements

- a. Upon receipt of the request for an appeal hearing HR should provide each party to the appeal a pre-hearing statement form to be completed by each party. The pre-hearing statement should include the following:
 - The names, addresses, and phone numbers of all parties to the appeal
 - The names, addresses, and phone numbers of legal counsel or representatives for the parties.
 - A list of witnesses including addresses and phone numbers, and brief summaries of their testimony.
 - A description of the exhibits to be used at hearing.
 - A statement of the facts supporting the party's position.
- b. The completed pre-hearing statement should be filed with the ALJ within ten working days of receipt by the parties of the pre-hearing statement form.
- c. Each party to the appeal should provide the opposing party with a copy of the pre-hearing statement and copies of exhibits to be used within ten (10) working days of the receipt of the pre-hearing statement. Each party is responsible for keeping the ALJ and the opposing party updated on additional witnesses and exhibits through the use of an amended pre-hearing statement. The party amending the pre-hearing statement should submit on copy to the ALJ and should provide the opposing party with a copy of the amended statement and a copy of additional exhibits, if any.
- d. Under no circumstances should witness or exhibits be added within five (5) working days of the hearing. Not witness testimony or exhibits should be admissible if not identified by the proponent five (5) working days prior to the necessary for rebuttal or impeachment.

B. Timing of Motions

Absent good cause, or unless otherwise provided by law, these rules or the rules for the OAH, written motions will be filed with the OAH at least 15 days before the hearing.

A party should file a written response stating any objection to the motion within 5 days of service, or as directed by the ALJ.

Pre-Hearing Motions

Any party to an appeal may file a pre-hearing motion. Motions should be in writing and should set forth the specific action requested of the ALJ and basis for the requested action. The ALJ should rule on all pre-hearing motions submitted in the pre-hearing conference or in the course of the hearing. The ALJ ruling on motions should be reflected in the ALJ findings.

Motion for Summary Judgment

In instances where there is no genuine issue of material fact in dispute, either party may request by written motion that the ALJ rule on the entire matter which is the subject of the appeal or any portion of the matter which is the subject of the appeal. The ALJ may rule on a motion for summary judgment prior to or in the course of the hearing. The ALJ ruling on motions for summary judgment should be reflected in the ALJ findings.

Submission in Good Faith

The person submitting a motion, pre-hearing statement or other document in the appeal process is obligated to do so in good faith. Factual statements shall be deemed given under oath or penalty of perjury.

Pre-Hearing Conference

After acceptance of an appeal and designation of representatives, if any, the ALJ may, at the request of the parties or on own initiative, schedule a pre-hearing conference at a time convenient to all parties.

At the pre-hearing conferences the ALJ may request exhibits, define the issues, and accept stipulations of the parties. The ALJ may rule on the admissibility of disapprove witnesses whose testimony is irrelevant or cumulative.

Appeal Hearing Procedure

A. Confidentiality

1. Unless otherwise provided by law, all hearings are open to the public.
2. The appealing employee should appear personally, unless physically unable to do so, before the ALJ at the time and place of the hearing.
3. The appealing employee may be represented by an attorney or any person other than a member of SFMD HR, the Fire Chief's Office, or a member of the SFMD Governing Board.

B. Order, Burden, and Manner of Proof

1. The ALJ may commence the hearing with the consideration of any pending motions or procedural matters.
2. The ALJ may request each party to make a brief opening statement.
3. The employee initiating the appeal should proceed next by presenting evidence by testimony or document or a combination thereof supporting their basis of the appeal. The employee is directed to show that the employment action taken was not reasonable.
4. The administration should proceed by its Fire Chief or legal counsel or a combination thereof, by presenting evidence by testimony or document or combination or thereof supporting the action taken which is the subject of the appeal or rebutting the presentation of the employee. The administration is directed to show that the employment action taken was reasonable.
5. The ALJ may allow rebuttal evidence to be presented by either party before the ALJ.
6. Direct testimony should be presented under penalty or perjury, supported oath of affirmation. Cross examination should be allowed. Hearings need not be conducted according to technical rules relating the evidence and witnesses.
7. The conduct and decorum of the hearing should be under the control of the ALJ, with due regard for the rights and privileges of the parties and witnesses appearing before it.
8. The burden of proof should be by a preponderance of evidence.
9. The ALJ may request each party to give a closing statement.
10. The ALJ, in their discretion, may continue postpone or reschedule the hearing at any time.
11. The ALJ should consider the matter and may render their decision immediately following the presentation of evidence or at a later date. The ALJ may request any


party to submit its proposed findings for the ALJ consideration.

Record of the Proceedings

The OAH will create a digital record of the hearing proceedings suitable for transcription. If a copy of the transcript is requested by either party to the appeal, the OAH will arrange for transcription and the requesting party will be responsible.

Findings of the ALJ

- A. At the conclusion of the hearing, the ALJ should prepare written findings of fact reflecting the evidence presented, and should prepare written conclusions of law that affirm, reverse or modify the final action of the Fire Chief complained of in the appeal.
- B. If the ALJ determines the appealed action was arbitrary or taken without reasonable cause, the action should be revoked or modified. Otherwise the action should be affirmed.
- C. The decision of the ALJ should be final and binding upon both the employee and the SFMD, and therefore, not subject to further administrative appeal to any office or governing body of the SFMD.
- D. The findings of fact and conclusions of law should be transmitted to the fire district by the OAH within 20 days of the conclusion of the hearing.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.32: Substance Abuse	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

The purpose of this policy is to promote a drug-free community, to maintain safe, healthy, and efficient operations, and to protect the safety and security of the employees, facilities, and property of the SFMD. Drugs or alcohol may pose serious risks to the user and all those who work with the user. In addition, the use, possession, sale, transfer, manufacture, distribution, and dispensation of alcohol or illegal drugs in the workplace pose unacceptable risks to the maintenance of a safe and healthy workplace and to the security of SFMD employees, facilities, and property. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided by the SFMD. For all of those reasons, the SFMD has established this Substance Abuse Policy.

Definitions

A. Illegal Drugs

"Illegal drugs" means any controlled substance, medication, or other chemical substance that (1) is not legally obtainable; or (2) is legally obtainable, but is not legally obtained, is not being used legally, or is not being used for the purpose(s) for which it was prescribed or intended by the manufacturer. Thus "illegal drugs" may include even over-the-counter medications, if they are not being used for the purpose(s) of which they were intended by the manufacturer.

B. Legal Drugs

"Legal drugs" means prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose(s) for which they were intended by the manufacturer.

C. SFMD Property

"SFMD property" and "SFMD equipment, machinery, and vehicles" means all property, machinery, and vehicles owned, leased, rented or used by the SFMD.

D. On Duty

"On duty" means all working hours, as well as meal periods and break periods regardless of whether on SFMD property, and all hours when an employee represents the SFMD in any capacity.

Policy

A. Substance Abuse by Employees

1. Alcohol

- a. Employees may not use, possess, sell, or transfer alcohol while on duty, while working, while on SFMD property, while in uniform, while operating SFMD equipment, machinery, or vehicles.

- b. Employees may not work or report to work under the influence of alcohol or with an alcohol level of .04 or greater.
- c. Employees who violate either of these rules will be subject to discipline, up to and including immediate termination.

B. Illegal Drugs

- 1. Employees may not possess illegal drugs or engage in the illegal use of drugs while on duty, while working, while on SFMD property, while in uniform, while operating SFMD equipment, machinery, or vehicles.
- 2. Employees may not work or report to work with detectable levels of illegal drugs or the metabolites of illegal drugs in their systems.
- 3. Employees may not manufacture, distribute, dispense, transfer, or sell illegal drugs.
- 4. Employees who violate these rules will be subject to discipline, up to and including termination.

C. Legal Drugs / Medication

Any employee who has reason to believe that the legal use of drugs, such as a prescribed medication, may pose a safety risk to any person or interfere with the employee's performance of his or her job must report such legal drug use to his or her supervisor. The SFMD should then determine whether any work restriction or limitation is indicated. Failure to report the legal use of a drug that may pose a safety risk could result in disciplinary action.

D. Criminal Drug Convictions

Any employee who is convicted of violating any criminal drug statute while in the workplace will be subject to discipline up to and including immediate termination.

E. Inspection of Property, Vehicle, or Equipment

All persons on SFMD property or who are performing services on a SFMD project, and all property, equipment, and vehicles on SFMD property or being used in connection with the performance of work on a SFMD project (including without limitation all vehicles, containers, desks and file cabinets), are subject to unannounced inspection by the SFMD. You should not expect that any property or items that you bring to work with you or that you use at work are private. If you do not want any property or items inspected, do not bring them to work.

Employees who refuse to permit inspections under this policy or who fail to cooperate with inspections under this policy will be subject to discipline, up to and including immediate termination.

F. Drug Paraphernalia

Employees are prohibited from bringing drug paraphernalia to the workplace at any time. An employee who possesses or distributes such paraphernalia in the workplace should be subject to disciplinary action, up to and including termination.

G. Reporting Violations

It is each employee's responsibility to immediately report unsafe working conditions or hazardous activities that may jeopardize his or her safety, the safety of fellow employees, and the public's safety. This includes the responsibility to immediately report any violations of the substance abuse policy. An employee who fails to report such a violation is subject to disciplinary action, up to and including termination.


H. Re-Employment / Re-Entry into the Workplace

Any individuals who leave the SFMD's employment for a period exceeding thirty (30) days

will be subject to drug and alcohol testing prior to their return to work.

Procedure

- A. All employees will receive a copy of the policy, and will be required to sign an appropriate acknowledgment and receipt.
- B. All applicants who have received conditional offers of employment with the SFMD will be required to read this policy before undergoing testing, and will be required to sign an appropriate acknowledgment and receipt.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.33: Drug and Alcohol Testing, Test Results, and Treatment	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

To inform all employees and the public of the circumstances and methodology for conducting drug and alcohol testing.

Policy

The SFMD may require that employees and applicants provide urine, blood, breath, and/or other samples for drug and alcohol testing under any of the following circumstances:

Pre-Employment Testing

All applicants who have received conditional offers of employment with the SFMD will be required to undergo drug testing as a condition of employment.

Reasonable Suspicion Testing

The SFMD may require any employee to undergo drug and alcohol testing if management has a reasonable suspicion that the employee:

- A. Has violated the SFMD's written work rules prohibiting the use, possession, sale, or transfer of alcohol and/or illegal drugs while on duty, while working, while in uniform, while on SFMD property, or while operating SFMD equipment, machinery, or vehicles;
- B. Is under the influence of alcohol and/or illegal drugs while on duty, while working, while in uniform, while on SFMD property, or while operating SFMD equipment, machinery, or vehicles;
- C. Is impaired by alcohol and/or illegal drugs; or
- D. May be affected by the use of alcohol and/or illegal drugs and that the use may adversely affect job performance or the work environment.

Examples Of Facts That Could Constitute Reasonable Suspicion Include:

- Uncharacteristically slurred or exaggerated speech;
- Uncharacteristically staggering or uncoordinated movements;
- Passing out while in the workplace;
- A supervisor's direct observation that an employee is groggy, disoriented, light-headed, and glassy-eyed;
- A supervisor's direct observation of the smell of alcohol or marijuana on the employee's breath or person;
- A supervisor's direct observation of alcohol, drugs, or drug paraphernalia in the employee's possession or among the employee's belongings;

- A supervisor's direct observation of an employee's use of alcohol or drugs on the job;
- A supervisor's overhearing of a discussion by the employee in questions of his or her alcohol use on the job;
- Evidence that the employee in question tampered with their urine specimen in connection with a previous drug or alcohol test; or
- The report of a reliable witness who is willing to document their report in writing that the employee in question is exhibiting the type of behavior described above while on the job.

Post-Accident Testing

The SFMD may require any employee to undergo drug and alcohol testing as soon as practicable after a work-related accident, if the SFMD reasonably believes that the employee may have contributed to the accident.

Post-Injury Testing

The SFMD may require any employee who has sustained a work-related injury to undergo drug and alcohol testing.

Treatment Program Testing

Any employee who has been referred by the SFMD for chemical dependency treatment or evaluation or who is participating in a chemical dependency treatment program under an employee benefit plan may be required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for up to one (1) year following the employee's return to work.

Paramedic Program Testing

The SFMD may require any employee who has been accepted to paramedic school to undergo drug and alcohol testing.

Random Testing

All employees are consistently subject to random, unannounced drug and alcohol testing applicable to federal and state law. The selection should be by a computer generated or other random process by the SFMD's contracted laboratory at a time or times randomly selected by the SFMD's contracted laboratory. The SFMD should have no advance notice of the date selected for the random testing or the employees selected for the random testing.

Announced Testing

All employees subject to annual medical examinations conducted by the SFMD's occupational health physician to ensure they are fit for duty are required to undergo drug and alcohol testing during their medical examination. Medical examinations are scheduled approximately around the same date annually. This policy should serve as advanced and announced notice for all full-time employees. Signature on the appropriate acknowledgement and receipt form of this policy will serve as announcement of testing.

Specimen Collection Procedures

A. Test Subject Privacy

Appropriate professional personnel will supervise the collection of urine, breath and blood specimens for testing. In the absence of a reasonable suspicion that the test subject will alter

or substitute a urine specimen, the collection personnel will not directly observe the collection of the urine specimen.

The SFMD may initially test an employee on-site using a test cup/stick type method for urine specimen. On-site testing is at the discretion of the supervisor. A positive test result using the on-site test cup/stick method requires a confirmatory test by the SFMD's contracted test laboratory. A negative test result may result in the employee's immediate return to duty. The supervisor may, with authorization from the appropriate section manager, require a confirmatory laboratory test of a negative test result from on-site testing and place the employee on administrative leave as required in [102.29: Administrative Leave](#). HR and appropriate section manager will be notified when on-site or laboratory testing is conducted.

B. Chain of Custody Procedures

The SFMD will take steps to preserve the chain of custody of specimens, in order to ensure testing accuracy.

Specimen Testing Procedures

Specimens will be tested only by laboratories that are properly approved or certified by a federal or state agency to conduct drug and alcohol testing by the National Institute on Drug Abuse, the Department of Health and Human Services, or the College of American Pathologists.

Specimens will be tested only for the presence of alcohol, illegal drugs, and their metabolites.

The company will rely on positive initial screening test results that also have been confirmed by gas chromatography/mass spectrometry or other methods of confirmatory analysis approved or certified by a federal or state agency ("confirmatory test").

Cost of Testing

The SFMD will pay for the initial drug and alcohol test that it requests or requires.

Administrative Leave Pending Test Results

Pending receipt of test results and written explanations and requests for retests of positive confirmatory test results, employees will be placed on administrative leave. If an employee is placed on administrative leave and the final confirmatory test result is negative, the employee will be reinstated immediately with full back pay.

Test Result Reports

The SFMD will promptly communicate test results to test subjects. Any test subject may request a copy of his or her test result report.

A. Confidentiality of Test Results

The SFMD will not disclose test results except as authorized by the test subject or as authorized, permitted, or required by applicable law.

B. Consequences of Refusal/Failure

Employees and applicants may refuse to undergo drug and alcohol testing. However, employees who refuse to undergo testing or who fail to cooperate with the testing procedures will be subject to discipline, up to and including immediate termination. Applicants who refuse to undergo testing or who fail to cooperate with the testing procedures will not be hired and will not be reconsidered for employment. Applicants who refuse to undergo testing or who fail to cooperate with the testing procedures will not be hired and will not be reconsidered for employment. Employees and applicants that attempt but do not produce specimens for whatever reasons will be considered as refusing or failing to cooperate with

testing procedures and will be subject to discipline, up to and including termination or will not be considered for hire or re-employment.

C. Right to Explain Test Result

Any test subject who tests positive on a confirmatory test on any drug and alcohol test required by the SFMD may:

1. Submit additional information to the SFMD to try to explain the confirmed positive test result; and
2. Request in writing a confirmatory retest of the original sample, at his or her own expense, provided that the SFMD must receive the request within five (5) working days (Monday through Friday) after the test subject has been informed of the confirmed positive test result.
3. Confirmatory retests requested and paid for by the test subject may be conducted only by laboratories that are properly approved or certified by a federal or state agency to conduct drug and alcohol testing.

Consequences of Confirmed Positive Test Result

I. Applicants

Any applicant who tests positive on a confirmatory test on any drug and alcohol test required by the SFMD and who does not timely and successfully refute the test results by explanation or retesting will not be hired and will not be reconsidered for employment.

II. Employees

A. First Time Positive Test Result

Any employee who tests positive on a confirmatory test on any drug and alcohol test required by the SFMD for the first time and who does not timely and successfully refute the results by explanation or retesting should receive a 30 day suspension and should be required to participate in the employee assistance program. Employees will be required to sign an appropriate "last chance" agreement with the SFMD governing substance abuse testing. In addition, the employee should be placed on disciplinary probation for one (1) year effective upon issuance of disciplinary action and subject to drug and alcohol testing at the employee's expense for that period. Any employee who fails to appear for a chemical dependency evaluation when directed by the SFMD, fails to complete the terms of any prescribed treatment program, fails in any way to cooperate with the chemical dependency referral and/or treatment process, or violates any rules set forth in this policy, will be subject to discipline up to and including immediate termination.

B. Second Time Positive Test Result

Any employee who tests positive on a confirmatory test on any drug and alcohol test required by the SFMD for the second time and who does not timely and successfully refute the test results by explanation or retesting will be subject to termination.

C. Employee Assistance Program/Substance Abuse Treatment

1. The SFMD regards its employees as its most valuable asset. Accordingly, the SFMD maintains an Employee Assistance Program (EAP) that provides help to employees who suffer from substance abuse and/or other mental health problems.
2. No employee will be subject to discipline for voluntarily seeking EAP assistance or substance abuse treatment. An employee may not, however, avoid discipline for violating the [Substance Abuse Policy](#) by seeking this assistance after the employee is referred for testing pursuant to policy. In addition, an employee's participation in an

EAP or referred substance abuse treatment program will not excuse the employee from being required to meet all of the same standards and qualifications for the job that apply to other employees, including performance, attendance, and other measures.

3. The SFMD will conduct drug-free awareness programs periodically. These programs will inform employees about the following:
4. The dangers of drug and alcohol abuse in the workplace;
5. The SFMD's policy of maintaining a drug and alcohol-free workplace;
6. Available drug and alcohol counseling, rehabilitation, and employee assistance programs; and
7. The sanctions that may be imposed for drug and alcohol abuse violations.

D. Employees are encouraged to approach their supervisor or HR at any time with any questions they have about the SFMD's [Substance Abuse Policy](#).

Procedure

The required procedures of the SFMD in regards to employees using, possessing or under the influence of alcohol, drugs, or chemicals while on duty are as follows:

Employees should report to their places of assignment fit and able to perform their required duties and should not by any improper act render themselves unfit on duty.

A. Step 1

Supervisors who have reasonable grounds to believe an employee is using or under the influence of alcohol, drugs, or chemicals should immediately prohibit said employee from performing any job functions in order to protect said employee, fellow employees, and the public from harm.

B. Step 2

The supervisor should notify their supervisor immediately, who will also notify the Battalion Chief or Fire Chief.

C. Step 3

Both supervisors will interview the employee and if they both believe, based upon reasonable grounds that the employee is using or under the influence of alcohol, drugs, or chemicals, then said employee will be taken by a SFMD supervisor to the SFMD's designated hospital emergency room or occupational health contractor for testing.

D. Step 4

The decision to relieve the employee from duty should be documented as soon as possible but no later than 24 hours. Both supervisors should document reasons and observations while the behavior is fresh in their minds and details can be recalled.

E. Step 5

If the employee is willing to sign the appropriate acknowledgment, consent and information form, the hospital or occupational health contractor will perform a drug and alcohol test.

1. It should be made clear to the employee before they sign the form that the results will be made available to their supervisor in the SFMD and may be used in disciplinary proceedings against the employee.
2. If the tests are not taken and the results not provided, the employee will be considered in violation of policy [102.32 Substance Abuse](#).
3. The employee may be relieved of duty and removed from the payroll after the proper


administrative procedures.

4. After completion of testing, the SFMD will transport the employee to their home and take all reasonable steps to protect the employee from hurting themselves while in the impaired condition.

F. Step 6

When an alcohol/drug test is administered the employee will be placed on administrative leave until results are available.

1. When an alcohol/drug test is administered the employee will be relieved of duty and may be referred to the employee assistance program in lieu of disciplinary action being taken.
2. Both supervisors should make final determination whether the employee returns to active status or remains off duty regardless of test outcome.
3. Rejection of treatment or failure to complete the program will be cause for disciplinary action, up to and including termination.
4. Upon successful completion of treatment, the employee will be returned to active status without reduction of pay or seniority.
5. No employee will be eligible for the employee assistance program more than one time for the same offense.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.34: Separation of Service	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

Any employee in the classified service may be terminated from employment for cause by the supervisor through the Fire Chief. Any full-time employee who is to be terminated should be furnished with a written statement of intent to terminate employment at least seven (7) days prior to the effective date of termination. If, in the opinion of the supervisor and the Fire Chief, the best interests of the SFMD would be jeopardized by the continued presence of the employee, the employee may be placed on administrative suspension. The Written Notice should:

- A. Include the date the proposed termination is to become effective and the specific grounds and particular facts upon which the action is to be taken.
- B. Inform the employee of their right to respond to the proposed action and their right to receive a copy of the written materials used to support the action.
- C. Advise the employee that they may appeal this decision within five (5) days to the Fire Chief.

If, after appealing to the Fire Chief, the decision to terminate employment is upheld, the employee should be entitled to a hearing if the employee so requests as provided in [102.31: Appeal Hearing](#). Probationary or "at will" employees are not entitled to the above pre-action due process procedures.

Procedure

Voluntary Separation

A. Resignation

An employee wishing to leave the classified service in good standing is required to do the following:

1. File with the Fire Chief through their supervisor, a written resignation stating the effective date and reasons for leaving at least two (2) weeks before their anticipated last day of work.
2. Submit to a standard exit interview administered through HR.

B. Constructive Discharge

Under section [A.R.S. §23-1502](#), an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employer alleging that the working condition forced the employee to resign. Under the law, an employee should wait for 15 calendar days after providing written notice before the employee may resign if the employee desires to reserve the right to bring a constructive discharge claim against the employer. Employees may be entitled to a paid or unpaid leave of absence of up to 15 calendar days while waiting for the employer to respond to the employee's written communication about the employee's working condition.

Under this law as a precondition to your right to bring a constructive discharge claim against your employer, you must take each of the following actions before deciding whether to resign:

1. Notify an appropriate representative of the SFMD, in writing, that a working condition exists that you believe is intolerable, will compel you to resign or constitutes grounds for a constructive discharge.
2. Allow the SFMD 15 days to respond in writing to the matters presented in the written communication you have provided to the SFMD.
3. Read and consider the SFMD's response to your written communication.
4. The SFMD representative designated to receive written notice concerning these matters is HR and the alternate is the Fire Chief.

Involuntary Discharge

When in the judgment of the Fire Chief it becomes necessary to reduce the number of employees in a specific job classification due to lack of work or funds, the SFMD may layoff and should determine the number and classes of employees to be laid-off. An employee being laid-off will receive a minimum notice of two (2) weeks.

In the event of reduction in personnel staffing levels, the reduction of employees affected should follow the order below:

A. Lay-off by Type of Appointment

All temporary employees in a classification requiring reduction in personnel should be laid-off before part-time employees; part-time employees before probationary employees; probationary employees before full-time employees.

B. Lay-off by Classification and Seniority

Full-time employees serving in a classification requiring reduction in personnel should be laid-off in the reverse order of their appointment in that classification. The last one so appointed being the first to be laid-off.

When no position of the same class exists within the SFMD or all employees in the class have greater seniority than the laid-off employee, the employee may request in writing to be placed in a lower class if the class is in the classification series. The classification series set forth in the most current classification manual accepted by the Governing Board should be used as a guide.

The employee may request to be placed in a lower class if the employee has previously held the position; in no circumstance should this request be used as a guide. The employee may request to be placed in a lower class if the employee has previously held the position; in no circumstance should this request be used to effect a promotion.

If the employee's written request meets the criteria set forth above, that employee should be placed in the lower class. In being placed in a lower class, that employee should receive a salary, which is at the same step in the new range. For example, if a laid off employee at a Range 25, Step D request to be placed in a Range 20, that employee will receive compensation at a Range 20, Step D. An employee in the class who has the least seniority with the SFMD should be laid off and the laid-off employee with greater seniority placed in the position.


C. Lay-off Lists

A lay-off list should be maintained for each classification. All regular status employees who

have been laid off should have their names placed on the appropriate lay-off list according to seniority. The name of any employee should remain on that list for a period of two (2) years.

D. Rehire

As positions are reinstated, individuals will be rehired from the appropriate layoff list according to seniority; the most senior person laid off will be the first person hired back. Employees resume their positions without loss of seniority, pay rate, or sick leave. It should be the responsibility of the employee on the lay-off list to provide the SFMD with their most current mailing address. Upon time of rehire, that employee will be notified at the address they have provided the SFMD and given ten (10) working days to respond. Failure to respond within that time frame may result in the SFMD contacting the next person on the lay-off list.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.35: Workplace Safety and Security	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

The SFMD is committed to maintaining a safe, healthful, and efficient working environment where employees and the public are free from the threat of workplace violence.

A. Reporting Procedure

Any employee who has been threatened, is a victim of a violent act, witnesses any threats or violent acts, is to report such activity to the appropriate section manager, HR or the Fire Chief immediately. Dependent on the circumstances and the level of apparent risk, employees have the authority to request law enforcement intervention if it is thought to be necessary.

Any employee reasonably fearing for the safety of himself or herself or others should immediately request law enforcement response and then contact the appropriate supervisor.

B. Investigation Procedures

Investigations should be performed in accordance with Personnel Policy on Investigation of Employee Conduct.

C. Confidentiality

The SFMD will make reasonable steps to ensure the safety and privacy of the persons involved to the extent it can do so. Information about an incident or threat will be disclosed on a need-to-know basis only, so that a fair and thorough investigation can be conducted and/or appropriate corrective action can be taken.

D. Discipline

An employee who engages in prohibited conduct will be subject to the appropriate corrective/disciplinary action up to and including termination, as determined by the findings of the investigation. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law.

E. Retaliation

Episodes of workplace violence can only be eliminated if employees are willing and able to report threats, violent acts, and other unsafe conditions. To encourage employees to come forward without the fear of retaliation, the SFMD will use reasonable efforts to investigate all complaints of retaliation and impose appropriate corrective/disciplinary action, up to and including termination.

SFMD prohibits and does not tolerate retaliation against any employee because of that employee's participation in protected activities, including but not limited to good faith reporting of workplace wrongdoing, making a protected claim against the organization, participating in any related investigation, or properly using SFMD benefits. Any employee who engages in prohibited retaliation is subject to disciplinary action, up to and including possible termination. No person, no matter his or her title or position, has the authority, express, actual, apparent or implied, to retaliate against any employee.

SFMD recognizes that making false accusations of wrongdoing in bad faith can have serious consequences for those who are wrongly accused. The SFMD prohibits deliberately making false and/or malicious allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

F. Training and Awareness


The SFMD will conduct periodic workplace violence awareness training for all supervisory and managerial personnel. Supervisors and managers will be responsible for providing periodic awareness training for their personnel. These sessions will explain the SFMD's policy on workplace violence, as well as cover procedures for reporting and investigating threats, violent acts, and unsafe workplace conditions. In addition, employees will be informed of their responsibilities and of the measures they can take to protect themselves and their co-workers from episodes of workplace violence. HR is responsible for auditing the operation of this policy, providing counsel, and resolving any unsettled questions which may arise from this policy.

G. Workplace Monitoring

The safety officer will routinely monitor the effectiveness of the organization's violence prevention security strategies. Changes will be made, as necessary, to correct deficiencies and reflect changing workplace conditions.

H. Employee Suggestions

All employees are encouraged to take an active role in creating a safe work environment. Any suggestions for improving this policy or the security of the workplace should be directed to the personnel and safety officers of the organization

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.36: Weapons	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

This policy deals with possession of unauthorized and dangerous materials, including explosives and firearms.

A. No Tolerance / Scope


Unless authorized and designated as part of the employee's job duties, SFMD prohibits, forbids, and does not tolerate weapons on SFMD property, or during any SFMD-related activity.

B. Definition

Weapons include visible and concealed weapons, including those for which the owner as necessary permits. Weapons can include firearms, knives with a blade longer than three inches, explosive materials or any other objects that could be used to harass, intimidate, or injure another individual, employee, volunteer, manager, or supervisor.

C. Reporting Procedure


Any employee who is aware of or witnesses a violation of this policy should report such activity to the appropriate section manager, HR or the Fire Chief immediately.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.37: Public Information Requests	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

All requests for information concerning incidents and the SFMD are to be directed to the office of the Fire Chief or their designee.


- A. The SFMD Public Information Officer (PIO) should be the contact source for the release of information to the media.
- B. SFMD personnel are not to release any information to the public or news media without authorization from the Fire Chief or the PIO.
- C. Officers will use their discretion and common sense about revealing information when questioned on the scene of an incident.
- D. Information about the cause of a fire should be released only by the fire marshal or their designee.
- E. All patient information on EMS reports is confidential and subject to HIPAA confidentiality rules and is not to be released without written authorization of the patient and then only in accordance with SFMD procedure.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.38: Records Custodian	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

Records custodians of the SFMD are the only personnel authorized to release information within the scope of their duties. The following personnel are records custodians:


- A. Fire Chief
- B. HR
- C. Assistant Chief(s)
- D. Fire Marshal
- E. Finance Manager

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.39: Visitors	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

Visitors should be greeted with due respect. Entrance into an SFMD facility for the purpose of solicitation of personal business is not permitted. Station officers may prohibit persons or cause any person to leave the station when:

- A. The person's presence interferes with the operations of the SFMD.
- B. The station is to be vacated and the person will not be monitored.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.40: Public Use of Fire District Facilities	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	


Policy

It is the intention of SFMD to permit reasonable use of its meeting rooms by members of the public. All use of the SFMD's meeting rooms must be reasonable and consistent with the SFMD's mission of service to the community.

- A. The SFMD's Board Room should be available only for use by the SFMD or other groups as approved by the Fire Chief.
- B. The Gold Canyon Fire Station 264 Community Room and the Technical Annex Meeting Room should be made available for the following categories of groups:
 1. Special Taxing Districts
 2. Municipalities
 3. Fire Service Related Organizations
 4. Community and Civic Groups (Rotary, Scouts, etc.)
 5. Public Education Groups
 6. Church Sponsored Groups
- C. SFMD activities should have priority over all other uses and scheduled use by the public is subject to cancellation in the event the room is needed for SFMD activity. SFMD will give 72 hours notice prior to any necessary cancellation. All other scheduling is done as "as requested" basis".
- D. The SFMD reserves the right to deny access or to alter the schedule in its sole discretion.
- E. The following schedule procedures will be followed by SFMD staff for managing the public's use of the SFMD facilities.
 1. Facility Scheduling
 - a. A request must be made not less than one week in advance.
 - b. One person from the group using the facility will be designated as the responsible party and will be required to sign the SFMD's Hold Harmless Agreement, for supervising the group and ensuring compliance with the SFMD's policies.
 - c. Groups using SFMD facilities are expected to leave the meeting room in a clean and orderly condition after each scheduled use. A janitorial fee may be assessed dependent upon the meeting room condition after use.
 - d. Groups reserving the room are responsible for setting up the room in the manner necessary for their function. The room should be returned to the set-up found prior to the event. SFMD employees are not responsible for the set up but may help if available and as time allows.
 - e. All functions should be conducted in a manner not to violate any law, ordinance,

or SFMD policy.

- f. The maximum number of people permitted in any SFMD meeting room should not exceed the posted occupancy limit.
 - g. Use of tobacco products on SFMD premises is prohibited.
 - h. Alcoholic beverages on SFMD premises are prohibited.
 - i. Food and beverages are permitted only as specified on the Hold Harmless Agreement.
 - j. Political campaigning and election advocacy are prohibited.
2. The SFMD has adopted the following as its current fee schedule for non-governmental agencies. The fee schedule may change at any time without notice.
- a. Refundable Deposit - \$10 per schedule use. Deposit refunded when room is no longer needed. Payable and required at time of scheduling for use of a meeting room.
 - b. Use Fee - \$10 per month of scheduled use. Payable and required at time of scheduling for use of a meeting room.
 - c. Janitorial Fee - \$25 per scheduled use. Assessed only if meeting room requires additional cleaning after scheduled use.


 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.41: Family Use of Fitness Center	
	Effective Date: May 2014	Revision Date: May 2014
	Approved by: Administrative Services	

Purpose

It is the purpose of the Superstition Fire & Medical District (SMFD) to permit reasonable use of its Fitness Center, located at 3945 East Superstition Blvd., in an effort to promote increased health and wellness of employees and their respective family members.

Policy

- A. Family members must complete orientation with an available fitness coordinator prior to using the Fitness Center.
- B. Family members must sign a waiver releasing the SMFD from liability; if under the age of 18 a parent or guardian and employee must sign the waiver.
- C. Family members must be at least 14 years of age to use the Fitness Center.
- D. Family members must be accompanied by the SMFD employee when using the Fitness Center.
- E. Family members younger than the age of 14 years of age must remain in the designated waiting area and cannot be in the workout area. Family members are responsible for the supervision of members under the age of 14.
- F. Family members must be part of the employee's immediate family that lives in the same household.
- G. All non-employees will need to sign in on the sign in sheet.
- H. Family members may only use the Fitness Center from 0600-2100.
- I. Family members must wear appropriate fitness clothing when using the Fitness Center. Proper attire will consist of the following: shorts or sweats, t-shirts with sleeves, and appropriate footwear.
- J. Retirees of both the SFMD and the Apache Junction Police Department will be allowed to use the Fitness Center.
- K. No pets allowed inside the Fitness Center.
- L. The SFMD reserves the right to end or suspend this SOG at any time. The SFMD also reserves the right to suspend or revoke an individual's access to the Fitness Center.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.42: Equipment – Including Vehicles	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Policy

A. Personal Use of SFMD Equipment

Personnel are not allowed to use SFMD facilities, including the SFMD's maintenance facility for personal use. Personnel are not allowed to borrow or utilize any SFMD equipment or property for personal use.

B. Lost or Damaged Equipment

An employee of the SFMD who is aware of lost or damaged equipment should notify their supervisor immediately. A written incident report should be directed to support service. Negligence with regard to lost or damaged equipment may result in disciplinary action.

C. Use of Personal Vehicle for SFMD Business

The SFMD discourages the use of personal vehicles and will make every effort to provide a SFMD vehicle for the employee's use. In those situations when an employee requires a vehicle to conduct SFMD business and one is unavailable the Fire Chief may authorize the use of their personal vehicle.

1. If a member is asked to use their own vehicle they will be reimbursed at the IRS set maximum allowable reimbursement/deduction rate only. This rate is to cover fuel, oil, depreciation and insurance.
2. Employees are not authorized to rent automobiles at SFMD expense except with specific pre-approval of the Fire Chief.
3. Inevitably an instance may arise that a SFMD vehicle is not available and an employee chooses to not use their own personal vehicle. If no adequate public transportation is available and the employee chooses to cancel their participation in a class or activity it should not be held against an employee in any way.

D. Personal Vehicles

Employees are responsible to provide their own transportation in order to report for regular or emergency work assignments. Personnel are also responsible for their own transportation when leaving duty to attend school that is not mandated by the SFMD.

The SFMD will accept no employee liability in travel to or from work, nor will the SFMD accept liability for vehicles parked on SFMD property during work or any other time.

Employees are reminded that if "call back" circumstances have been executed they are expected to report to their appropriate station with due regard for all traffic regulations.

No private vehicles may be equipped with emergency warning equipment which is used to respond to any SFMD incident. If at all possible, SFMD vehicles will be used to conduct the SFMD's business. If it is necessary to utilize a personal vehicle in order to conduct the SFMD's business prior authorization must be secured before mileage reimbursement will be allowed.

E. Take Home Vehicles


SFMD owned vehicles are not to be taken home by an employee without the express approval of the Fire Chief or designee. If it is in the SFMD's interest to have a vehicle available to an employee 24 hours a day, then a written request should be submitted to the Fire Chief or designee requesting vehicle assignment.

Employees granted permission to take a SFMD vehicle home will be required to:

1. Comply with all internal revenue policies and regulations.
2. Be responsible to see that the vehicle is kept clean and in good mechanical condition.

Employees temporarily acting in a position to which a take home vehicle is assigned are authorized the use of the vehicle assigned to that position for a period of up to 14 days. In situations of over 14 days, the Fire Chief should submit a recommendation to the Governing Board for continuing approval.

Employees assigned take home vehicles should use said vehicle for official SFMD business only.

 Administrative Policy	Series: 102	Volume I:	Administrative Policy	
	102.43: Duty to Report			
	Effective Date:	July 2014	Revision Date:	July 2014
	Approved by:	Emergency Services		

Purpose

Superstition Fire and Medical District (SFMD) employees (including volunteers) share in the responsibility for maintaining a safe living and working environment for the members of the organization and for the public we serve. According to the statutes cited below, employees have a legal duty and a responsibility as members of SFMD to immediately report abuse, physical injury, neglect, and/or exploitation of any minor(s) and/or vulnerable adult(s) in the employee's care or for whom the employee is providing treatment in accordance with this policy.

Process

A. Duty Regarding Minors

Pursuant to [ARS §13-3620](#), any employee who observes or otherwise reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect shall immediately report the information by telephone or in person (1) to a peace officer or to child protective services, and (2) to the employee's direct supervisor.

Within 72 hours of making such report, the employee shall submit a written report to the peace officer or child protective services, with a copy to the employee's direct supervisor containing:

1. The name and addresses of the minor and the minor's parents or persons having custody of the minor, if known.
2. The minor's age, the nature and extent of the minor's abuse, child abuse, physical injury or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
3. Any other information that the person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

For purposes of this section, abuse may include, but is not limited to, intentional infliction of physical harm or injury; injury caused by criminally negligent acts or omissions; sexual abuse; sexual contact; sexual assault; molestation; sexual exploitation; incest; child prostitution; participation in child pornography; exposure to toxic or flammable chemicals or illegal drugs; unreasonable confinement; and neglect.

The failure to report in accordance with [ARS §13-3620](#), as set forth above, is a crime that may result in the employee being charged with a Class 1 Misdemeanor or a Class 6 Felony.

B. Duty Regarding Vulnerable Adults

Pursuant to [ARS §46-454](#), any employee who has the responsibility for the care of a vulnerable adult and who has a reasonable basis to believe abuse or neglect of the adult has occurred or that exploitation of the adult's property has occurred shall immediately report the information in person or by telephone to (1) a peace officer or adult protective services, and (2) the employee's direct supervisor.

Within 48 hours of making such report, the employee shall submit a written report to the peace officer or adult protective services, with a copy to the employee's direct supervisor, containing:

The name and the addresses of the adult and any person having control or custody of the adult, if known.

1. The adult's age, the nature and the extent of the adult's vulnerability.
2. The nature and extent of the adult's injuries or physical neglect or of the exploitation of the adult's property.
3. Any other information that the person reporting believes might be helpful in establishing the cause of the adult's injuries or physical neglect or of the exploitation of the adult's property.

For the purposes of this section, the following definitions set forth in [ARS §46-451](#) apply:

1. "Abuse" means: Intentional infliction of physical harm, injury caused by negligent acts or omissions, unreasonable confinement, sexual abuse or sexual assault.
2. "Incapacitated person" means any person who is impaired by reason of mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxication or other cause, except minority to the extent that he/she lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his/her person.
3. "Neglect" means a pattern of conduct without the person's informed consent resulting in deprivation of food, water, medication, medical services, shelter, cooling, heating or other services necessary to maintain minimum physical or mental health.
4. "Vulnerable adult" means an individual who is 18 years of age or older and who is unable to protect himself/herself from abuse, neglect or exploitation by others because of physical impairment. Vulnerable adult includes an incapacitated person.


Failure to report in accordance with [ARS §46-454](#), as set forth above, is a crime and may result in the employee being charged with a Class 1 Misdemeanor.

C. Supervisor Responsibilities

A supervisor who receives a report from an employee pursuant to the law this policy is responsible for ensuring that the employee complies with the mandatory reporting requirements set forth above. In addition, upon receipt of a report from an employee, the supervisor shall notify the next highest supervisor in his/her chain of command of the report and the steps taken to ensure compliance with the law and this policy. Each supervisor is responsible for notifying the next highest supervisor in the chain of command up to and including the Assistant Chief of Emergency Services/Operations, who must notify Human Resources at SFMD.

D. Violations

In addition to any criminal penalties, a violation of this policy by an employee may result in disciplinary action being taken, up to and including termination.


 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.44: Duty to Report Violations	
	Effective Date: 2005	Revision Date: 2005
	Approved by: Administrative Services	

Purpose

To inform the employees of their individual responsibility to report violations of SFMD policies and related investigatory procedures.

Policy

In addition to any other section setting forth a reporting procedure, any employee who is a party to or observes an incident or conduct which may be in violation of these policies, interferes with an employee's ability to do their job, impacts the safety of employees or the public, or otherwise impacts the ability of the SFMD to provide service to the community, should immediately report the matter to the employee's immediate supervisor, or if the employee's supervisor is a party to the matter, then the employee should report to the next level of management, HR or the Fire Chief.

 Administrative Policy	Series: 102	Volume I:	Administrative Policy	
	102.45: Labor Management Relations			
	Effective Date:	September 2015	Revision Date:	November 2017
	Approved by:	Labor Management Team		

Mission

Labor and Management are equally committed to enhancing the SFMD as an organization. The focus of our efforts will be a commitment to quality services for both our internal and external customers.

Purpose

The purpose of this document is to outline the process and guiding philosophies for a healthy and productive SFMD Labor/Management process.

Labor/Management Guiding Philosophy's

Fire service personnel are regarded as some of the most trusted and respected members of society and are justifiably held to a higher standard of performance and conduct. The public trusts our judgment and fully expects that we will communicate and work effectively together to avoid issues or outcomes that could threaten our ability to provide a superior service to our community. History has shown that poor Labor/Management relations are a significant distraction to the fire service mission and have the potential to erode the legacy of first-class service established by our predecessors.

The SFMD has a recent history of positive Labor/Management (LABOR/MANAGEMENT) relations and we are committed to working together to form a more positive and productive fire service organization. Fire District Management and the Executive Board of the SFMD Chapter of Local 2260 are committed to maintaining an open and cooperative relationship and enhancing the quality of services we provide both internally and externally.

Labor/Management Team Activities

The Labor/Management Team has a duty to participate together in the following formal activities for the purpose of planning, policy discussion, procedures development, and the resolution of problems/issues that arise within the organization.

A. Labor/Management Team Meetings

The SFMD Labor/Management Team meets the second Wednesday of each month, and as-needed, to discuss district policies, programs, and strategic planning as well as wages, benefits and working conditions of unionized employees.

Labor/Management meeting minutes will be approved by the fire chief and chapter VP as soon as possible after each meeting and archived on the district's web page. Meeting minutes will attempt to capture mutually agreed upon action items, terms and initiatives.

Additionally, elected labor representatives shall be provided reasonable accommodations by the on-duty BC to attend labor-related activities during duty hours. The fire district will make every reasonable effort to approve release-time for union representatives where doing so will not adversely impact emergency operations. Examples of appropriate release activities might include: Labor/Management meetings, chapter meetings, committee meetings, employee representation, fire board meetings, etc.

A. Committees and Teams

The district utilizes teams and committees to facilitate and guide the development of policies, procedures, and programs within the organization. We agree that Labor representation on all teams and committees dealing with issues that impact unionized members of the district is both vital and necessary.

B. Personnel Management

Labor and Management work together when an employee requests union representation during disciplinary actions involving members of the labor organization.

Principles & Values

Labor and Management mutually agree that ethical behavior is the foundation of our relationship. We expect that our relationship will be a model for future Fire Chief's and local union officials to emulate. The following core values will serve as the basis for a successful SFMD Labor/Management relationship.

We agree on the following principles:

- I. We value a Professional, Honorable and Respectful relationship.
- II. Labor and Management must communicate regularly, deal with each other directly, and resolve issues together when they are small.
- III. The long-term Labor/Management relationship is more important to the mission than any single outcome.
- IV. It is an industry expectation that our service and communications should be driven by pragmatic solution strategies, not ideologies.
- V. Labor and Management will embrace and promote the issue of trust...trust in the "process" and trust among participants.
- VI. Honesty is the hallmark of our efforts. We agree to work together in an open manner that discloses to all parties the information and perspective we each need to know.
- VII. There must be integrity in our efforts to preclude destructive behaviors such as self-interest, self-protection, self-deception and self-righteousness from entering our work together.
- VIII. We will work to keep our commitments to each other and thus our trust in each other from being diminished. Any inability to keep our promises may become a priority issue for resolution to preserve our trusting relationship. If an agreement cannot be kept, communication between the parties is essential.
- IX. Members of Labor and Management are encouraged to communicate and collaborate regularly to further district initiatives. All parties are expected to make reasonable accommodations to meet and work together as needed.
- X. Labor and Management are expected to act with cognizance of both legal and moral liability.
- XI. There may be occasions where Labor and Management disagree with the direction and/or course of action to be taken. When management decides on a plan that conflicts with the labor's position, it shall not be represented as a labor/management decision.
- XII. It is understood that Management must make decisions to run the organization effectively, to assign members, to distribute and redistribute work, to enforce policies and rules, to respond to misconduct, dishonesty and criminal behavior, and to ensure employees meet the goals and expectations of the organization.

- XIII. We mutually agree that our interactions be characterized by respect. Respect is offered not as a payment for respect received but rather for the expectation we have of our own conduct.
- XIV. We acknowledge that we each have a responsibility to carry out our individual roles. We will seek to understand each other's roles to ensure we know what duty each is responsible to fulfill. We expect personal accountability of conduct, characterized by self-control and a constant pursuit of excellence.
- XV. Our interactions will seek justice and equity in our dealings. We support that effective measures be taken to prevent and address violations of our common philosophy. We also acknowledge that in some cases, open and visible dealings are necessary to conduct business that is perceived to be, and actually is, fair.
- XVI. We agree that all employees, regardless of rank or tenure, deserve the fundamental right to advocacy if they are being investigated and/or disciplined. Appropriate discipline must occur for just cause; it should be implemented via due process, and the discipline should be lawful, consistent, and appropriate to the incident. A progressive disciplinary process is critical to correcting negative behavior and performance, as well as returning the employee to a productive state of employment.
- XVII. Management values and appreciates the role Labor plays in assuring fair and reasonable employee actions occur in the disciplinary process.
- XVIII. Labor representation should be encouraged anytime an employee may be subject to discipline. Labor representation should not disrupt the employer-employee relationship, communications between supervisors and subordinates, or be disruptive to the disciplinary process.
- XIX. We mutually commit that our concern for each other is a primary impetus for the formation of this document. Fire Chiefs and Fire Fighters equally care about the safety and well-being of our members, as well as the welfare of the community and the excellence of departmental operations. The assumption that Labor/Management concerns are only based upon self-interest is not recognized by the philosophies and principles described herein.
- XX. We agree that we should continuously endeavor to make the fire service better for our citizens, customers, and the professionals who participate in the delivery of our services.
- XXI. We recognize that in our profession, our service must be provided unconditionally. We all have a moral obligation to our citizenry. Pursuits of organizing, establishment of, or expansion of, Labor rights and participation in the political process, must never interrupt emergency services or impede the organization's ability to respond.

Summary

We recognize that most employee-employer problems happen in communities where Labor and Management do not respect one another or recognize each other's importance and roles; where they are not employing any form of relational process to work collectively on challenges; and where they fail to maintain open lines of communications.

The SFMD Labor/Management Team is committed to enhancing our organization and to the provision of high-quality service to both our internal and external customers. To that end, we adopted these processes, guiding philosophies and core values to encourage and support a healthy and productive organization and Labor/Management relationship.

Board Approval:




Gene Gehrt, Board Clerk

November 15, 2017

Date

BOD #:2017-11-06

 Administrative Policy	Series: 102	Volume I: Administrative Policy		
	102.46: Arizona Safe Haven for Newborn Infants			
	Effective Date:	September 2015	Revision Date:	September 2017
	Approved by:	Fire Chief		

Purpose

The Superstition Fire & Medical District (SFMD) is providing procedure that adheres to [A.R.S. §13-3623.01](#) "Safe Haven for Newborn Infants." The procedure will provide a detailed process for the accepting of an unwanted infant or child at any fire district facility.

Definitions

- A. A person is not guilty of abuse of a child pursuant to [A.R.S. §13-3623.01](#), subsection B solely for leaving an unharmed newborn infant with a safe haven provider.
- B. If a parent or agent of a parent voluntarily delivers the parent's newborn infant to a safe haven provider, the safe haven provider shall take custody of the newborn infant if both of the following are true:
 1. The parent did not express an intent to return for the newborn infant.
 2. The safe haven provider reasonably believes that the child is a newborn infant.
- C. The safe haven provider shall report the receipt of a newborn infant to child protective services of the department of economic security as soon as practicable after taking custody of the newborn infant. Child protective services shall report the number of newborn infants delivered to safe haven providers pursuant to section [A.R.S. §8-526](#).
- D. A parent or agent of a parent who leaves a newborn infant with a safe haven provider may remain anonymous, and the safe haven provider shall not require the parent or agent to answer any questions. A safe haven provider shall offer written information about information and referral organizations.
- E. A safe haven provider who receives a newborn infant pursuant to this section is not liable for any civil or other damages for any act or omission by the safe haven provider in maintaining custody of the newborn infant, if the safe haven provider acts in good faith without gross negligence.
- F. This section does not preclude the prosecution of the person for any offense based on any act not covered by this section.
- G. For the purposes of this section:
 1. "Newborn infant" means an infant who is seventy-two hours old or younger.
 2. "Safe haven provider" means any of the following:
 - (a) A firefighter who is on duty.
 - (b) An emergency medical technician who is on duty.
 - (c) A staff member at a health care institution that is classified by the department of health services pursuant to section [A.R.S. §36-405](#) as a hospital or an outpatient treatment center.

(d) A staff member or volunteer at any of the following that posts a public notice that it is willing to accept a newborn infant pursuant to this section:

- (i) A private child welfare agency licensed pursuant to title 8, chapter 5, and article 1
- (ii) An adoption agency licensed pursuant to [A.R.S. §8-126](#).
- (iii) A church. For the purposes of this item, "church" means a building that is erected or converted for use as a church, where services are regularly convened, that is used primarily for religious worship and schooling and that a reasonable person would conclude is a church by reason of design, signs or architectural or other features.

Policy/Procedure

1. The SFMD employees will accept possession of any infant or child.
2. SFMD personnel will inquire about any medical conditions that the infant or child may have, but any information shared by the parent/agent is voluntary.
3. The appropriate police agency shall be notified and dispatched to the district facility.
4. SFMD personnel will contact the Mesa Alarm Room 480-644-2640 for an incident number and ensure that a fire and rescue unit is assigned.
5. SFMD medical personnel will assess the baby and document as if on any other medical emergency.
6. SFMD personnel will contact the on-duty PIO and BC.
7. SFMD personnel will contact child protective services of the department of economic security.
8. If necessary, SFMD personnel will transport the infant to the nearest appropriate facility.

Documentation

The Patient Care Report will include all the necessary documentation needed.

- Times (specifically the time the baby or child was relinquished).
- Assessment/condition of the infant.
- Medical history (if provided).
- Birthday (if provided).
- Disposition.

Summary

As it pertains to [A.R.S. §13-3623.01](#), the fire station is an approved Safe Haven drop off site. Any person working at the facility may accept the infant under the following conditions:

- The infant must be less than 72 hours old
- The infant must show no signs of being physically harmed.
- The parent must indicate they do not plan to return for the infant.
- The infant must be transported immediately to the emergency department.
- SFMD personnel must ask the person relinquishing the baby if they are willing to provide

pertinent information.

- Even if a child appears to be more than three days old, follow the same procedure as you would for the newborn infant.

No SFMD employee will turn any infant or child away that is given to a district employee, even if it does not adhere to [A.R.S. §13-3623.01](#).

Board Approval:




Gene Gehrt, Board Clerk

October 18, 2017

Date

BOD #: 2017-10-06

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.47: Fingerprinting and Criminal Background Checks	
	Effective Date: November 2016	Revision Date: November 2016
	Approved by: Administrative Services	

Purpose

This policy is intended to outline how the Superstition Fire & Medical District (SFMD) and its employees will comply with the access, use, handling, dissemination and destruction of criminal justice information (CJI) and criminal history records information (CHRI).

Scope

All personnel should be aware of this procedure in which authorized personnel are required to follow.

Procedures

Personnel Access

A. Authorized Personnel

1. Agency Security Contact (ASC)

The user agreement with DPS requires the District to designate an Agency Security Contact (ASC). The Human Resources Generalist will be designated as the ASC and is responsible for the following:

- a. Being the primary liaison between the District and DPS for all communication regarding audits, training, and misuse or a security issue involving the criminal history check process. The ASC will also serve as the information resource for their agency.
- b. Coordinating agency compliance with all federal and state laws/regulations pertaining to the access, use, handling, dissemination and destruction of criminal justice information and criminal history record information.
- c. Notifying the Access Integrity Unit (AIU) Noncriminal Justice Compliance Team in writing of changes in the CEO, ASC or business information (address, etc.).
- d. Submitting and updating the Authorized Personnel List to the AIU.
- e. Conducting and logging internal training. The training will be logged on the NCJA Training Documentation Form and kept in the Human Resources Generalist office in the NCJA file.

2. Authorized Personnel List

- a. The only personnel authorized to access, discuss, use, handle, disseminate, file and destroy CJI/CHRI are the Human Resources Generalist and the Assistant Chief of Administrative Services, who are listed on the most current Authorized Personnel List on file with the Arizona Department of Public Safety (DPS) Access Integrity Unit (AIU).
- b. The Authorized Personnel List shall contain a minimum number of employees' necessary, but will include all personnel who may possibly come in to contact

with CJI/CHRI.

- c. When Authorized Personnel leave employment, or no longer need to have access to CJI/CHRI, an updated Authorized Personnel List shall be sent to AIU in a timely manner (no later than 30 days).

3. Authorized Personnel Requirements/Training

All authorized personnel shall:

- a. Sign an Acknowledgement Statement which acknowledges that the employee has been notified of the penalties for misuse of CJI/CHRI. The penalties for misuse can be found in Section 3.7 of the NCJA Guide.
- b. Complete the following training prior to an employee being added to the list of Authorized Personnel and every two (2) years thereafter or as otherwise required by DPS:
- c. DPS online Security Awareness Training (<https://www.cjisonline.com/>). The CJIS Online Training must be completed with the CJIS Online Training Supplement provided by DPS.
- d. Internal review of this standard operating guideline with the ASC.

B. Non-Authorized Personnel

1. The public, all outside persons and entities, terminated personnel, and personnel not listed on the most current Authorized Personnel List are prohibited from handling or having any access to CJI/CHRI for any reason.

Usage

Per [§ARS 48-805\(A\)\(3\)](#) CJI/CHRI shall only be used for the specific purpose for which it was requested, which is for employing paid sworn firefighters, reserve, volunteer firefighters, and all employees. Fingerprint results from DPS are to be opened only by those on the Authorized Personnel List.

Security Rules for CJI/CHRI, Handling and Destruction

A. Public Record

1. CJI/CHRI shall NOT be released to the public, not even information that may be found in public records elsewhere. The District and its employees shall “neither confirm nor deny” the existence of an individual’s criminal history records to the public or to any unauthorized individual or agency. Employees who may be questioned in this regard are advised to simply state “no comment” (even if revealing information would be defending the District) or to refer the questioning party to the ASC. It is allowable to state that the District performs criminal history checks as required by [§ARS 48-805\(A\)\(3\)](#). CJI/CHRI is delivered via the United States Postal Service and is received by the Human Resources Generalist. The Human Resources Generalist processes the information and if any disqualifying information is received, the Assistant Chief of Administrative Services is notified.

B. Duplication, Dissemination and Communication

1. CJI/CHRI shall NOT be copied, emailed, faxed, scanned or stored electronically.
2. CJI/CHRI shall NOT be disseminated to secondary parties – “secondary dissemination” means dissemination from an individual or agency that originally obtained the information from the central state repository or through the Arizona criminal justice information system to another outside individual or agency.
3. CJI/CHRI shall NOT be discussed other than:

- a. Between Authorized Personnel as necessary to carry out the specific purpose for which the information was requested. Personnel will ensure that verbal discussions take place in private, so as to not be overheard.
- b. With an applicant, as outlined the Applicant Process/Fingerprint Submittals section of this SOG.

C. Physical Security

1. CJI/CHRI shall only be viewed by Authorized Personnel in a reasonably secure area and will not be left unattended.
2. CJI/CHRI shall be physically secured when not under the physical control of Authorized Personnel.
3. CJI/CHRI shall be stored in the locked office of the ASC. Only Authorized Personnel will be issued a key. The final paycheck of a terminated employee will be held until the keys have been returned. If a key is lost, the filing cabinet containing the CJI/CHRI will be re-keyed.

D. Destruction of CJI/CHRI

1. When no longer needed for its original purpose of the pre-employment process, CJI/CHRI shall be completely destroyed to minimize the risk of unauthorized access and dissemination. The District's records retention schedule is based upon the Arizona State Library, Archives and Public Records requirements.
2. The ASC is responsible for overseeing the destruction of CJI/CHRI records. Destruction will be by shredding.

Consequences of Misuse / Disciplinary Action

A. Internal – Notice of Consequences:

1. In the event of deliberate, reckless or unintentional misuse of CJI/CHRI, the employees will be subject to disciplinary action, up to and including termination, as outlined in [Policy 102.26: Corrective Action and Discipline](#). Additionally, there are other State and/or Federal penalties that may apply depending on the circumstance of the release and specific statute which is violated. There is also the possibility of civil liability.

B. Arizona Revised Statutes (ARS) [ARS §41-1756](#) states it is a class 6 felony in Arizona for a person to:

1. Give criminal history record information to someone who is not authorized to receive it.
2. Allow unauthorized access to criminal history information.
3. Use criminal history record information for any other purpose than those provided in the ARS.

C. Federal Statutes

1. Access to CJI/CHRI is subject to cancellation for dissemination outside the authorized recipients ([Title 28 USC 534](#) and [Title 28 CFR 20.33](#)).
2. Other Federal penalties may apply depending upon the circumstances.

Applicant Process/Fingerprint Submissions

A. Applicant Notice

The applicant shall be notified in writing of the following, prior to fingerprinting:

1. That the fingerprints will be used to check FBI criminal history records.
2. That the applicant is allowed a reasonable opportunity to complete and challenge the accuracy of the criminal history record. The applicant can obtain a copy of their Arizona criminal history in order to review/update/correct the record, by contacting the [Arizona Department of Public Safety Criminal History Records Unit](#) at (602) 223-2222 to obtain a fingerprint card and a [Review and Challenge packet](#). Information on the review and challenge process can be found on the [Arizona DPS website](#).
3. How to obtain a copy of the FBI record and that the guidelines for these procedures are contained in [28 CFR 16.30 through 16.34](#).

This shall be accomplished by a separate notice provided to the applicant when they are given a blank fingerprint card. The applicant will be given the opportunity to take a copy of the notice.

B. Fingerprinting and Handling of Fingerprinting Card


1. Fingerprinting will be conducted by a qualified agency (i.e. Police Department), who will confirm the identity of the applicant by a current state-issued identification card (other forms of identification will not be accepted). The fingerprint card will not be given back to the applicant. The ASC will accompany the applicant and will retrieve the fingerprint card in-person, the completed fingerprint card. Authorized personnel (ASC) will secure the card in the locked Human Resources office until it is submitted.

C. Background Check Submittal

1. Only Authorized Personnel will complete the paperwork and submit the fingerprint card to DPS following the requirements of DPS. An agency check for the exact amount will be included with the paperwork, secured in an envelope and carried to the post office by Authorized Personnel.

D. Results and Applicant Notice

1. The applicant SHALL NOT be given a copy of the CJI/CHRI.
2. The Authorized employee will inform the applicant that a disqualifying factor was or was not found during the criminal history check and identify the factor and will advise the applicant privately that the procedures to change, correct or update the record, are set forth in [Title 28, CFR, Section 16.34](#) and refer the applicant to [Department of Public Safety Criminal History Records Unit to obtain a Review and Challenge Packet for Arizona Criminal History](#); and the information on how to review and challenge an FBI Criminal History Record.
3. The applicant will be allowed two (2) weeks from the date the applicant was notified of a disqualifying factor to correct their state and federal criminal history. The Fire Chief may authorize additional time at their own discretion on a case by case basis. If the applicant is able to correct their criminal history, the ASC will obtain new fingerprints from the applicant and resubmit fingerprints to DPS.
4. If the applicant is able to correct their criminal history, but not within the allotted time frame, the applicant may be placed on the established hire list for possible consideration in the future.

 Administrative Policy	Series: 102	Volume I: Administrative Policy
	102.48: Temporary – Acting Assignment	
	Effective Date: January 2017	Revision Date: January 2017
	Approved by: Administrative Services	

Purpose

To provide a method to fill short-term shift vacancies, adequately compensate employees serving in a higher classification than which the employee is normally compensated, and provide guidelines for compensating 56-hour employees transitioning to a 40-hour schedule.

Scope

This policy applies to all employees with the exception of the Fire Chief.

Policy

Unless otherwise designated, any employee serving in a temporary or acting assignment shall have all the authority and responsibilities for the assumed position.

A. Acting (Out-of-Class)

1. Acting assignments may occur occasionally, daily, or even hourly due to operational need. Shift vacancies shall not automatically require an employee be assigned in an acting role. Such determination shall be made by the Battalion Chief or his designee.
2. If the employee works in an acting assignment 10 or more consecutive shifts, the employee's base rate of pay shall be increased by a minimum of 5.0%, or adjusted to Step 1 of the position to which they are assigned, whichever is greater. This adjustment shall be retroactive to the first shift of the assignment. Any incentive pay or benefits normally received by the employee shall not be affected by acting assignment.
3. A member approved to fill an acting assignment on a fairly regular, but non-consecutive basis, shall receive out-of-class compensation if they have worked at least 480 hours in a 6-month period. If this occurs, the employee's compensation shall be retroactive to the first day of the acting assignment within the calculated 6-month period.

B. Temporary Promotion

1. In the case of a vacancy in the Fire Chief's position, the Board of Directors shall make the appointment.
2. In the event a shift vacancy is expected to extend beyond 30 days, 10 consecutive shifts, or to meet a special project need, the Fire Chief or his designee may temporarily promote an employee. From the effective date of the temporary promotion, the employee's base rate of pay shall be increased by a minimum of 5.0%, or adjusted to Step 1 of the position to which they are assigned, whichever is greater. This adjustment shall be retroactive to the first shift of the assignment. Any incentive pay or benefits normally received by the employee shall not be affected by their temporary promotion.
3. Temporary promotions shall be made from an existing eligibility list. If a current

promotional list does not exist, the appointment shall be made from another qualified individual, as determined by the Fire Chief or his designee.

4. In the event an eligible employee is on Leave or is otherwise unavailable, the Fire Chief or his designee may issue the temporary promotion to the next candidate on the eligibility list.
5. The length of the appointment may be adjusted according to operating needs.
6. Upon completion of the temporary promotion, the individual shall:
 - a. Be returned to the previous position, rank and salary, or
 - b. Have the temporary promotion extended for a specified time period, or
 - c. Be promoted to the rank or position the individual has been working. In such event, the time of service in the temporary position shall not be applied to the required promotional probation period or seniority within the rank.

C. 56 to 40-hour Assignments

1. Shift employees moved from a 56-hour schedule to a 40-hour schedule shall be compensated an additional 5.5% of base pay to make-up for the loss of FLSA pay. This policy is intended to keep the employee “whole”.
2. Examples of this change may occur when employees are appointed to a designated staff position, special assignment, or light-duty assignment.

Board Approval:




Gene Gehrt, Board Clerk

December 20, 2017


Date

BOD #: 2017-12-08

 <p>Administrative Policy</p>	Series: 103	Volume I: Administrative Policy	
	103: Staffing Policies		
	Effective Date:		Revision Date:
	Approved by:		

Series 103

Staffing Policies

 Administrative Policy	Series: 103	Volume I: Administrative Policy		
	103.01: Leave Pool Expectations			
	Effective Date:	January 2015	Revision Date:	January 2015
	Approved by: Emergency Services			

Purpose

To provide clear expectations to SFMD members assigned to the Leave Pool.

Policy

Leave Pool Members (LPM) are an integral part of daily SFMD operations. They typically provide coverage for shift employees utilizing sick, vacation, or other leave. They can also be assigned to a TRV, Engine Company, or respond support apparatus (e.g. RH264, U262, or Water Tenders) as necessary.

Expectations

A. Check [Telestaff](#)

1. LPM should monitor [Telestaff](#) often and understand their assignments throughout the day. Any questions should be communicated with their BC/BSO prior to their scheduled shift.

B. Vehicle Use

1. LPM(s) are expected to utilize their personal vehicles while traveling to their duty station(s).
2. While at a duty station, LPM(s) are able to utilize ancillary vehicles assigned to those stations for errands or traveling to other duty stations for short periods of time.
3. TRV, Brush Units, Engines, Ladders, Tenders, Utility, and Rehab vehicles should not be utilized by LPM(s) for travel to and from duty stations.

C. Duty Assignment Times

1. LPM(s) are expected to be at their duty post (as shown on [Telestaff](#)), mission ready, and available for response by 0700 on the first day of their shift rotation.
 - a. Any discrepancy from this practice will be communicated prior to 0645 to both the Station and Administrative Captains.
 - b. Second day assignments will be communicated with Station Captains to assure adequate travel time “to” and “from” duty stations.

D. Turnout and Personal Gear Storage

1. LPM(s) have two options for storing their turnouts and personal gear:
 - a. Utilize Station 263 as “Base Station”

LPM can be assigned a dorm room, personal gear locker, and location for turnout gear storage (as available).

LPM should allow for sufficient travel time to duty station if choosing to pick up gear from their Base Station.

- b. Utilize “Totes” and “Gear Bags” which stay with the LPM while traveling to duty stations.

Assignments

LMP(s) may be asked to perform in many different assignments during their time in this role. They may be asked to work on Engine or Ladder Companies as part of a crew, operate on a TRV, respond as a support apparatus to emergency scenes, and other assignments as needed within the Operations Division.

Station and Administrative Captains

LPM(s) are provided a great opportunity while working within this capacity. LPM(s) have the ability to work with various captains and crews on their shift, which provides unique learning experiences not afforded to those who have bid to a single crew.


A. Station Captains

The Station Captain will provide daily supervision, mentoring, safety, and training for LPM(s) assigned to their crew. LMP(s) should use their daily Station Captain as their immediate resource when dealing with any issue that requires a supervisor.

B. Administrative Captain

The Administrative Captain will be responsible for annual performance evaluations and function as a support advisor to LPM(s). The Administrative Captain for LPM(s) will be the shift Battalion Safety Officer (BSO).

The Administrative Captain is expected to gather quarterly reports from each Station Captain for each LMP assigned to their shift. These reports are intended to serve as a reference for the Administrative Captain when preparing performance evaluations. Station Captains should include detailed information such as: strengths and weaknesses, interactions within a crew, goals, recommendations, and any other relevant information.

 Administrative Policy	Series: 103	Volume I: Administrative Policy
	103.02: Battalion Chief Straight Time Pay for Excess Hours Worked	
	Effective Date: May 2012	Revision Date: May 2012
	Approved by: Emergency Services	

Purpose

- A. Establishes SFMD policy and procedure for the payment of additional compensation to Battalion Chiefs for all hours worked in excess of their normal scheduled hours worked for the work week.
- B. Becomes effective immediately.
- C. Applies to Battalion Chiefs whenever the Battalion Chief is required to cover for the absence/unavailability of another Battalion Chief in the performance of their duties to SFMD.
- D. Rescinds and supersedes all policy, procedures, memorandum and directives that pertain to the payment of additional compensation for excess hours worked.

General

According to the Fair Labor Standards Act ("FLSA"), some employees are exempt from the payment of an enhanced rate of pay for each hour over forty (40) in a work week, also known as 'overtime'. While employers are not required to compensate otherwise exempt employees, some employers choose to pay additional compensation to exempt employees for additional work. In order to keep the exemption, employers need to provide this compensation carefully and in compliance with applicable laws.

Straight time pay of overtime for exempt employees

Pursuant to Section 541.604 of the FLSA, an employer may provide an exempt employee with additional compensation beyond the employee's regular salary without losing the exemption or violating the salary basis requirement, if the employment arrangement also includes a guaranteed salary of at least \$455 per week, without any deductions for time-off. © 2005 - 2012 BTLG® | Business & Technology Law Group®

Based on the passages above and SFMD Compensation Policy 104.05, the Superstition Fire & Medical District is compliant with both the spirit and the letter of the law as stated in both the Fair labor Standards Act and SFMD SOG's.

The SFMD encourages their Battalion Chiefs to ensure the smooth and orderly operation of the fire and EMS services provided by the fire crews. The Battalion Chief's knowledge, skills and abilities are necessary in managing every fire and EMS event.

Policy

It is the policy of the SFMD to pay Battalion Chiefs at their straight time rate for all shift hours worked in excess of their regular assigned shift.


This compensation is required to be authorized in the annual AJFD budget, and properly encumbered and accounted for.

This policy applies to Battalion Chiefs performing emergency services on duty shift work in the

Battalion Chief position. It does not apply to required off duty activities to include but not limited to, staff meetings, training sessions, committee assignments, etc.


Procedure

The SFMD will pay Battalion Chiefs, who report additional shift hours worked during the pay period, at their straight time rate for all such hours reported. Such hours will be included in all wage and benefits calculations as with all other compensation paid to the Battalion Chief.

 <p>Administrative Policy</p>	Series: 104	Volume I: Administrative Policy	
	104: Technology		
	Effective Date:		Revision Date:
	Approved by:		

Series 104

Technology

 Administrative Policy	Series: 104	Volume I: Administrative
	104.01: Computer / Electronic Data Systems	
	Effective Date: 2015	Revision Date: 2015
	Approved by: Community & Technical Services	

Policy

A. Computer / Electronic Data Systems Use

Electronic communications, including the contents of SFMD owned computers and telephones are the properties of the SFMD. This policy is meant to set forth policies regarding access to and disclosure of information/messages sent or received by SFMD employees using the system. The Internet, electronic mail (e-mail), phone mail or any other communication or information system, of the SFMD is not to be used in any way that may be disruptive, offensive to others, or harmful to morale. Violators of this policy are subject to disciplinary action, up to and including termination, for any violation reasonably believed to have been committed.

B. Right to Review

SFMD treats all computer files, including e-mail sent or received, as SFMD related information. The SFMD has the capability and reserves the right, with or without notice, to access, monitor, review, copy, and/or delete any computer files, including e-mail sent or received, and all web site communications and/or transactions. If employees make incidental use of the computer system for personal files or e-mail, employees should not expect personal files or e-mail to be protected from review by the SFMD. Accordingly, employees should not use computer systems to create or transmit any information they wish to keep private.

C. Harassment

Use of the computer system to engage in any communications that are in violation of this or any SFMD policy is strictly prohibited. SFMD prohibits the display or transmission of sexually explicit images, messages, cartoons, or any transmission or use of communications that contain profane or offensive language, ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, color, national origin, gender, age, sexual orientation, disability, religion or political beliefs.

D. Non-Solicitation/Outside Causes

SFMD computer systems should not be used to solicit for commercial ventures, religious, or political causes, or any outside organizations of any type that are not authorized by the SFMD.

E. Software

SFMD prohibits the unauthorized use of software. The SFMD expects its employees to conduct themselves responsibly in this regard. Employees should refrain from making or using unauthorized copies of software programs.


F. Termination

Upon voluntary or involuntary termination of service with the SFMD, employees may not take any computer-related programs, files, or materials for personal possession. Again, all computer-related materials are the property of the SFMD. Upon termination, the SFMD may

shut off the former employee's computer systems.

G. Reporting Procedures

If you are aware of computer/electronic data system use policies taking place, you must immediately discuss your questions, problem, complaints, or reports with your direct supervisor.

 Administrative Policy	Series: 104	Volume I: Administrative Policy
	104.02: Social Media Policy	
	Effective Date: January 2015	Revision Date: January 2015
	Approved by: Administrative Services	

Purpose

Social media provides a valuable means of connecting the Superstition Fire & Medical District (SFMD) to the community it serves. Additionally, social media provides a powerful and interactive medium for sharing important fire and injury prevention information. The SFMD recognizes the role social media plays in the personal lives of its employees. This policy provides a framework for the positive and productive use of social media. It should also serve as a guide for employees to better understand the responsibility each employee bears when using social media tools both on and off duty.

This policy is not meant to address one particular form of social media; rather social media in general term as technology will outpace our ability to update policies governing its use.

Definitions

- A. *Blog*: A self-published diary or commentary on a particular topic that may allow department members to post responses, reactions, or comments.
- B. *Post*: Content an individual shares on a social media site or the act of publishing content on a site.
- C. *Profile*: Information that a user provides about himself or herself on a social networking site.
- D. *Social Media*: A category of Internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, Myspace, Twitter, YouTube, Wikipedia, Instagram, Snapchat, blogs, and other sites.
- E. *Social Networks*: Platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- F. *Speech*: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Policy

- A. Sanctioned Use of SFMD Social Media
 - 1. Some members of the SFMD are specifically authorized to use and represent the SFMD on social media.
 - 2. District members authorized to utilize social media shall conduct themselves at all times as representatives of the SFMD and shall adhere to all district standards of conduct and observe conventionally accepted protocols and proper decorum.
 - 3. District members authorized to utilize social media shall not use speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or protected class of individuals.

4. District members authorized to utilize social media shall identify themselves as a member of the SFMD.
5. District members authorized to utilize social media shall not post, transmit, or otherwise disseminate confidential information, including photographs or videos related to department training, activities, or work-related assignments without express permission by the Fire Chief or their designee.
6. District members authorized to utilize the District's social media shall not conduct political activities or private business while representing the SFMD.
7. District members authorized to utilize the SFMD social media shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
8. The use of SFMD computers by district personnel to access personal social media requires the permission of an immediate supervisor.

B. Personal Use of Social Media by Department Members

1. The SFMD encourages and supports the responsible, positive, professional, and appropriate use of social media and the display of district logos, uniforms, or similar identifying items to promote the mission, vision and values of the SFMD.
2. All Users of social media are reminded that when posting to personal sites, the district's confidentiality policies apply, as well as the confidentiality requirements under HIPPA law and any other confidentiality statutes, rules or regulations. See Federal Policy #104-191 for HIPPA requirements.

Under no circumstances may any identifying information regarding any patient treated by SFMD be posted or discussed on-line. In addition, users shall not post any photographs, video or other images of a patient to any social media. Only photos/video authorized by the SFMD may be posted to official SFMD sites.

1. Users are prohibited from viewing, updating or responding to social media during District training, public events or working incidents.
2. Any user who comments publicly, however loosely, about any issue in which the user is engaged to any degree in his/her capacity as a SFMD employee, must make clear his/her status as a SFMD employee, volunteer or Explorer; that the user is speaking for him/herself and not on behalf of the Superstition Fire and Medical District. Such users shall write in the first person and use an appropriate disclaimer, such as "The postings on this site are my own and do not necessarily represent the Superstition Fire and Medical District positions, strategies or opinions."
3. All postings and communications on social media should be courteous and respectful of others. Be aware of your SFMD association in online social media. Ensure your profile and related content is consistent with how you wish to present yourself as a SFMD professional, appropriate with the public trust associated with your position, and conforms to existing ethical standards of conduct and applicable personnel rules or policies. Have no expectation of privacy. Federal and State case law have ruled that online privacy settings does not mean that content is legally or socially private. Furthermore, SFMD personnel should be aware that when a concern is brought to the attention of the district, the district may monitor employees' personal social media sites for inappropriate/unauthorized content, including photographs and videos.
4. Members are cautioned that all posts to social media are generally made public and cannot be easily removed or erased. Even if a post may not be readily viewed by the

public, such postings can be accessed by law enforcement and be discoverable in a lawsuit. For these reasons the following actions, which reflect negatively on SFMD, are strongly discouraged:


- a. Discourteous communication about or to any SFMD employee.
 - b. Defamatory postings about individuals or the SFMD.
 - c. Posting obscene or pornographic content to Social Media.
 - d. Posting materials which are hateful or otherwise objectionable; or using social media to transmit or receive any material that is intended to annoy, harass or intimidate another person.
- C. Using social media for any illegal activity.
- D. Posting any material to social media which, in the reasonable opinion of the SFMD, is likely to cause harm or damage to the goodwill and/or reputation of the SFMD or any of its employees.
- E. Posting or communicating information that could be unprofessional or embarrassing to the SFMD or call into question your ethics as a SFMD employee.

Duty to Act

Any employee becoming aware or having knowledge of a posting, website or webpage in violation of the provisions of this policy shall notify their supervisor immediately. Subsequently, any supervisor receiving notification of a potential policy violation should immediately report the notification to their direct supervisor.

Summary

The SFMD encourages and supports the positive, professional, and appropriate use of social media that promotes the mission, vision and values of the SFMD. Employees should recognize that their use of social networking sites, including off-duty, may affect their credibility, the credibility of the SFMD and the fire service in general. The more an employee associates themselves with the SFMD on personal social media, the less it becomes a personal page. Violation of this policy, especially those of a deliberate and malicious nature, may be grounds for disciplinary action, up to and including termination of employment.

 Administrative Policy	Series: 104	Volume I: Administrative Policy
	104.03: Incident Recording and Processing	
	Effective Date: October 2013	Revision Date: May 2014
	Approved by: Emergency Services	

Purpose

The purpose of this document is to establish policies that insure the proper use of video(s), photo(s), or voice recording(s) equipment and the processing of all recorded content into District records. The general purpose of video(s), photo(s), or voice recording(s) equipment is for the collection of evidence related to District business of emergency and non-emergency incidents, and for the purpose of training and post incident reviews.

This policy applies to all video(s), photo(s) and voice recording(s) equipment mounted in District vehicles, affixed to helmets, and/or any other fixed or handheld devices that are utilized to document SFMD business or incidents.

Policy

A. Emergency Operations

This policy identifies care and utilization of video recording equipment that has been issued by the Fire District for the purpose of documenting emergency and non-emergency incidents, training events or other district business.


1. District issued video(s), photo(s) or voice recording(s) devices should be properly maintained and assured ready for use at all times. Batteries should be changed and charged as often as necessary to assure mission readiness. Camera lenses should be maintained clean and operationally effective (an alcohol prep or soft cloth can be utilized to clean the lens as often as necessary).
2. District issued video recording devices should be activated (turned on) and in Record Mode, while responding to significant incidents. Significant incidents are defined as: automobile accidents, structure fires, vehicle fires, hazardous material responses, technical rescue incidents, and any other potentially significant incident that employees believe may provide value for training or a post incident review.
3. It is the responsibility of the employee(s) in possession of District issued video recording devices (such as helmet cams) and persons assigned to district vehicles with video recording devices installed to activate (turn on) these devices when dispatched to significant incidents.

Process

This process identifies the processing and production of content that has been recorded onto devices (videos, photos, voice recordings) into District records.

- A. All recorded video(s), photo(s), or voice recording(s) contained on District issued devices pertaining to Superstition Fire & Medical District (SFMD) business or incidents is to be presented to the On-Duty Battalion Chief immediately following an incident. The Battalion Chief will provide the employee with replacement SD Card(s) so the issued device can be immediately returned to service.

- B. Employees may obtain copies of recorded content through the Multi-Media Production Department for personal use if desired.
- C. The On-Duty Battalion Chief or person serving in the Acting BC role will assure that the Multi-Media Production Department is notified of the video(s), photo(s), or voice recording(s) by email, text message, phone or other contact as soon as practically possible, so that timely arrangements can be made to transfer the recorded content and replenish the stock of blank SD Cards stored in the Battalion vehicle.
- D. The On-Duty Battalion Chief should also make an Audio Recording Request through the City of Mesa Regional Dispatch Center by submitting the online form Mesa Fire & Medical Dispatch & Deployment Division Recording Reproduction Request (copy the SFMD Multi-Media Department). *The Multi-Media Department needs to be advised so that we do not submit multiple requests for any given incident.*
- E. Upon receipt of a Recording Reproduction Request, the City of Mesa Regional Dispatch Center will provide the requested information via the FTP Server to allow for Fire District access. The SFMD Multi-Media Department will retrieve the audio recording for creation of training and archive documents. In the event that the Multi-Media Department is temporarily unavailable, Battalion Chiefs have access to the FTP server and can obtain audio recordings for training and post incident reviews. *This may serve as a timely option until such time that the Multi-Media Department can complete a finalized video production of a particular event.*
- F. The Multi-Media Department will compress photos, videos and audio files into a completed video production for the purpose of training, post incident reviews and entry into District records.
- G. The completed video production will be distributed on DVD or other medium to the Operations Chief and each shift Battalion Chief for the purpose of training and post incident review.
- H. All approved video productions will be placed in Target Solutions under the File Center > Training Videos > Incident Review Videos

 Administrative Policy	Series: 104	Volume I: Administrative Policy
	104.04: Video Conferencing Etiquette	
	Effective Date: December 2015	Revision Date: December 2015
	Approved by: Administrative Services	

Purpose

The integration of video conferencing technology is a tool to assist in communications, training, information sharing, and inter-departmental relations in our area. This document will help define what the system is to be used for and how it can be effectively utilized.

The use of our video conferencing equipment is encouraged for training, shift meetings, debriefings, information sharing between stations, and personal conversation. Below are some general guidelines and expected behavior/conduct during a video conference session.

Procedure


- A. Company Officers are to ensure the equipment at their stations is ready for use each morning.
- B. Have video conferencing equipment turned on and ready to go at least 15 minutes prior to the session.
- C. If you are calling into the Regional Training Center (RTC), call 15 minutes prior to the start time to ensure the meeting/training begin on time.
- D. The entire crew should be sitting where they are clearly visible. Adjust the zoom and camera angle if necessary. No one should be hiding in the background. If someone is speaking, the instructor should be able to see that person. Officers should be sitting up front setting the example.
- E. Assign one person to handle the remote and the mute button. When the microphone is left "on" the group can hear everyone's comments **and** side conversations (sometimes not hearing the person who has the floor). Also, on occasion there may be feedback so please keep the microphone muted until you're ready to speak.
- F. If possible, adjust the microphone location to be as close as possible to where everyone is sitting. Each session will begin with a sound check and roll call.
- G. Even though you may be sitting in recliners - this is still training. Lying back like you are taking a nap is not a professional position to be in during a training session. If you're in a recliner, make yourself comfortable, but everyone should be sitting up and engaged in the discussion.
- H. Personal cell phones should be turned off and members should refrain from disruptive behavior and distracting conversations. If you need to use the facilities, please do so as to not disrupt the group.

Expectations

- A. All personnel should have the ability to operate the equipment and troubleshoot minor issues.


- B. Personnel should maintain this equipment to ensure operational readiness at all times.
- C. Personnel will not disable, unplug, or compromise this equipment. It will remain in a “plug-and-play” state available for use whenever needed.
- D. Using the equipment is encouraged for district and personal use (with the exception of gaming).
- E. The AMX remote is the only remote to be used to control the equipment.
- F. If you need to dim lights to better view a video or PowerPoint presentation, please do so. But once discussion resumes, the lights should be turned back on.
- G. Everyone is invited to speak, share their opinion, and contribute to the discussion. Please remember to be respectful, constructive and professional.
- H. Please contact [Computer Services](#) anytime connections are required with organizations outside the district that may require the use of the bridge (up to 40 sites).

It is the intention of SFMD to continually improve communications, open opportunities for communication and support technology that advances these initiatives. Video Conferencing is a powerful tool, especially for an organization that rarely can get everyone in the same room at once. If you have any questions using this equipment or would like to offer suggestions please contact [Computer Services](#).

 <p>Administrative Policy</p>	Series: 105	Volume I: Administrative Policy	
	105: Reporting Procedures		
	Effective Date:		Revision Date:
	Approved by:		

Series 105

Reporting Procedures

 Administrative Policy	Series: 105	Volume I: Administrative Policy
	105.01: Industrial Injuries Reporting	
	Effective Date: September 2015	Revision Date: September 2015
	Approved by: Administrative Services	

Purpose

To set forth the injury reporting requirement for the protection of the employee and SFMD. Members are covered by the Superstition Fire & Medical District under the [Arizona State Worker's Compensation Act](#) against injuries, illness or disease occurring in the course of fire district employment. This policy establishes a procedure for on-the-job injury reporting, documentation, and compensation.

General

Industrial Leave is defined as absence from work as the result of:

- A. An injury by accident arising out of and in the course of Fire District employment as defined by the Workmen's Compensation Laws of the State of Arizona.
- B. Those occupational diseases arising out of and in the course of Fire District employment as defined by the Occupational Disease Laws of the State of Arizona.

Net Take-Home Pay is defined as the bi-weekly base rate of pay for a full-time employee, less deductions for federal and state income tax, social security tax and pension plan contributions. It does not include earnings for bonus pay, overtime differential, stand-by pay or any other pay that is normally not a constant condition of work for a particular classification. Net Take-Home Pay shall not be less than the amount the employee is entitled to under the State Workmen's Compensation Laws.

SFMD Industrial Supplemental Plan is defined as the organizational industrial benefit provided by the SFMD which will serve as the supplemental benefit plan that is compliant with [A.R.S. §38-961](#). Currently, the SFMD will self-fund this plan.

Employee's injured on the job that are restricted from returning to work by order of a physician, may be eligible for:

- A. Illness leave
- B. Vacation leave, once all illness leave has been exhausted
- C. Illness leave utilization, which can be refunded on an hour for cost basis with worker's compensation funds (if eligible).
- D. Public Safety Personnel Retirement System disability benefits.
- E. Possible assignment to light duty as specified in Personnel Policy [102.14](#).

Process

A. Reporting & Documentation

A 56-hour employee injured on the job must report the injury to their supervisor immediately. The supervisor shall complete a Supervisor's Report of Industrial Injury, Personal Injury/Illness Investigation Report, and Employer's Report and submit it to their respective on-duty Battalion Chief. This form must be completed and submitted the same day (or shift)

of the incident.

The Battalion Chief shall hand-deliver the completed industrial injury reports to the HR office as soon as possible following the injury. The Assistant Chief of Administrative Service and the Assistant Chief of Emergency Services should be notified at the time of the injury via email.

A 40-hour employee injured on the job must report the injury to their immediate supervisor at the time of the injury. The supervisor shall complete a Supervisor's Report of Industrial Injury and Personal Injury/Illness Investigation Report. The immediate supervisor will submit all completed reports to HR. This form must be completed and submitted the same day of the incident.

NOTE: Failure to properly complete or submit the Industrial Injury Form may delay the employees claim or result in the claim being denied.

B. Compensation

If a member is absent from work as a result of an occupational injury, illness, or disease that is covered under the Arizona State Worker's Compensation Act, the absence is considered industrial accident leave. For absences of one (1) to seven (7) calendar days, members are compensated 100% of their regular base rate of pay without loss of sick or vacation leave. For absences over seven (7) days, public safety members are compensated in accordance with [A.R.S. §38-961](#) and Arizona Worker's Compensation Act. Civilian personnel will be compensated in accordance with only Arizona Worker's Compensation.

The first six (6) months on documented and approved Occupational Industrial Leave, the SFMD public safety employee may be placed in the SFMD Industrial Supplemental Plan. The SFMD will cover the difference between worker's compensation and the employee's net take-home pay. Under [A.R.S. §38-961\(A\)](#), the SFMD Industrial Supplemental Plan applies to an employee employed by the District and meeting EACH of the following:

1. Full-time
2. Public safety employee
3. Injured on duty
4. Unable to perform functions of job
5. Receiving worker's compensation

The SFMD public safety employee must meet all five of the above criteria in order to be covered under the SFMD Industrial Supplemental Plan.

If the employee met each of the five (5) requirements set forth above, then the following [A.R.S. §38-961](#) statute will be set forth in our policy:

1. Pursuant to [ARS Sec. §38-961\(B\)](#), under the supplemental benefits plan, the District is obligated to continue to pay the District's portion of health insurance as of the date of the injury.
2. Pursuant to [ARS Sec. §38-961\(C\)](#) under the supplemental benefits plan, the District is obligated to continue to pay the District's contributions to PSPRS.
3. Pursuant to [ARS Sec. §38-961\(D\)](#), under the supplemental benefits plan, the employee is obligated to apply to the District's supplemental benefits plan and the District then determines if the employee is entitled to benefits under the plan. This allows for the exclusion of participation by an employee whose injury is a result of gross negligence or any other disqualifying condition.

4. Pursuant to [ARS Sec. §38-961\(E\)](#), the employee must comply with evaluations for light duty and rehab. The employee remains responsible for the employee's portion of insurance.
5. Pursuant to [ARS Sec. §38-961\(F\)](#), while participating in the supplemental benefits plan, the employee does not accrue leave.
6. Pursuant to [ARS Sec. §38-961\(G\)](#), participating in the plan does not preclude discipline.

[A.R.S. §38-961](#) is only in an effect for the first six (6) months of a documented and approved industrial injury.

After six (6) months on Occupational Industrial Leave the employee will be covered by the Worker's Compensation Plan only. Members may voluntarily supplement their Worker's Compensation benefit with accrued sick and vacation leave. The amount that may be supplemented is the difference between the Worker's Compensation benefit and the employee's net take-home pay, plus voluntary payroll deductions. The amount of a member's Worker's Compensation benefit shall not exceed his/her regular base rate of pay.

Net Take-Home Pay is defined as the bi-weekly base rate of pay for a fulltime employee, less deductions for federal and state income tax, social security tax and pension plan contributions. It does not include earnings for bonus pay, overtime differential, stand-by pay, merit raises or any other pay that is normally not a constant condition of work for a particular classification. Net Take-Home Pay shall not be less than the amount the employee is entitled to under the State Workmen's Compensation Laws.

If the injury is sustained due to a motor vehicle accident, animal bite or assault, an additional form, the Third Party Agreement, shall also be completed and forwarded to HR.

If the employee elects to sue a third party defendant involved in the accident, and if he/she proceeds against such other person, the Fire District shall have a lien on the amount actually collectible from such other person to the extent of the monies paid by the Fire District over and above the Workmen's Compensation, and medical, surgical and hospital benefits paid by the State Compensation Fund.

The amount actually collectible shall be the total recovery less the reasonable necessary expenses including attorney fees actually expended in securing such recovery and less the amounts to be paid to the State Compensation Fund.

C. Entitlement

A certified permanent full time employee who is scheduled to work at full time fifty-two weeks of the year and who is disabled and absent from work as a result of an Industrial injury or occupational disease should be kept on the Superstition Fire & Medical District payroll and be paid an amount equal to but not to exceed his/her regular net take home at the current rate of pay for up to one-year total per injury.

Leaves of absence compensated by the Industrial Commission of Arizona in excess of one (1) year per injury (2,912 hours for 56 hour unit employees; or 2,080 hours for 40 hour employees or unit employees on a 40 hour assignment) shall not be considered as paid leave.

Employees on industrial leave may be placed in a light-duty position, if available, for a period of time to assure full rehabilitation to the Fire District's satisfaction.

Employees returning to light or full duty after exhausting their industrial leave limit as above will have their leave accrual reinstated, but any additional time off due to the original injury will not be considered as paid leave.

D. At Home Recuperation

Employees on Industrial Leave must remain at home in a recuperative manner. Time to consult with a physician, attend therapy or other special types of treatment will be allowed. Written verification slips may be obtained from the attending physician and forwarded to Administration. Other exceptions may be allowed with prior approval from the Fire Chief.

Employees shall not engage in any outside work while on Industrial Leave. Employees may not engage in recreational activities unless prescribed by a treating physician.

Employees who are on Industrial Leave MAY NOT TRAVEL OUT OF THE STATE without permission from the Industrial Commission of Arizona and the State Compensation Fund.

Employees who will be recuperating at a place other than their residence shall notify the Assistant Chief of Administrative Services of their location and phone number at which they can be reached.

E. Proof of Medical Treatment

Employees on Industrial Leave shall be required to provide a doctor's note showing the first date of leave and a projected return date. Employees who are on either Industrial Leave or who have been released to light duty shall provide a physician's slip for all medical treatments, evaluations, and job restrictions. Any leave taken from duty for such purposes will require both a written notification to HR and a physician's slip in order for the leave to be approved.

Before an employee reports back to regular duty, he/she must provide a work release with a doctor's full release declaring the employee fit for duty prior to being allowed to return to full duty. Before employees can be assigned a light-duty assignment, he or she must provide a work release with job restrictions from their doctor and submit the release to HR.

Said employees may be required to report to a SFMD designated physician or health care professional, at the expense of the District, for an evaluation of his/her ability to return to either full-duty or light-duty. This will be in addition to proof of prior medical treatment and/or release from his/her personal physician.

The doctor's signed release must be received before the beginning of the employee's scheduled shift in order for the employee to be allowed to return to duty. With prior permission, a copy of the release may be faxed to the Assistant Chief of Administrative Services, before the employee can return to duty. Once the release is received, HR will meet with Accounting Department and determine the date of return.

Employees who are unable to return to work after one (1) year on Industrial Leave may be considered for other job openings for which the employee is qualified and for which the employee is able to perform, with or without reasonable accommodation, provided the disability is covered under the [Americans with Disability Act](#).



**Administrative
Policy**

Series: 105

Volume I: Administrative Policy

105.02: Accident Reporting – In Process

Effective Date:

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**Administrative
Policy**

Series: 105

Volume I: Administrative Policy

105.03: Worker's Compensation Reporting – In Process

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**Administrative
Policy**

Series: 105

Volume I: Administrative Policy

105.04: Exposure Reporting – In Process

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**Administrative
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Series: 105

Volume I: Administrative Policy

105.05: Close Call Reporting – In Process

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**Administrative
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Volume I: Administrative Policy

105.06: Near Miss Reporting – In Process

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Glossary of Terms

48/96

Shift schedule utilized by PSPRS shift employees. Schedule consists of 48 hours on-duty and 96 hours off-duty. This is a repetitive cycle between 3 shifts (A,B,C).

Actor

The temporary placement of an individual possessing less than the minimum required qualifications in a position in order to fill a vacancy.

Allocation

The assignment of a position to its proper class in accordance with the duties performed and the authority and responsibilities exercised.

Anniversary Date

Annual reoccurrence of the date on which an employee was hired.

Appointment

The offer to a person and the acceptance by that person of a position in the classified service.

ARS

Arizona Revised Statutes

ASRS

Arizona State Retirement System

Class

All positions sufficiently similar in duties, authority, and responsibility. Permits grouping under a common title with equity of common standards of selection, transfer, promotion, and compensation.

Classified Service

All positions of employment in the service of the SFMD except those specifically excluded by the action of the Governing Board.

Classification Date

Annual reoccurrence of the date on which an employee was appointed to a position.

Civilian Employee

Any employee of the SFMD whose job does not require regular hazardous duty assignments.

Compensatory Time

Time off given to non-exempt civilian employees as provided within these rules.

Cuff Note

Cuff Notes serve as a memory recall tool for performance evaluations and/or future corrective actions/discipline. A Cuff Note is an entry made by a supervisor, which documents something about an employee's performance. These entries may be both positive and negative. Using cuff notes makes it easier to remember important events or occurrences that might later be relevant in performance evaluations or other actions. Employees do not sign cuff notes. These are the private notes of a supervisor that may potentially be referenced at a later time.

Demotion

Considered the fourth level of formal discipline. Demotion is the movement of an employee from their current classification to a lower classification. An employee can only be demoted into a classification previously held by the employee. The Fire Chief or his/her designee may demote an employee for serious or repeated violations of or in response to such matters as an employee's poor work performance; inappropriate conduct; violation of any SFMD policy or procedure to include the organizations Declaration of Ideals and Code of Conduct. Demoted employees may be placed on disciplinary probation for an appropriate number of observable shift/work days, not to exceed 120 observable shifts for 56-hour personnel and 198 work days for 40-hour personnel.

Department

A major unit of the SFMD hierarchy.

Department Head

Those officers or employees who are assigned and / or employed as the principle employee of a department for the discharge of duties provided by law or of a particular delegated function as indicated on the officially adopted organizational chart.

Disciplinary Corrective Action

Corrective action taken by a supervisor that is considered a formal disciplinary step. These include written reprimands, suspension, demotion, and termination.

Disciplinary Probation

An employee may be placed on disciplinary probation in response to such matters as an employee's poor work performance; inappropriate conduct; violation of any SFMD policy or procedure to include the organizations Declaration of Ideals and Code of Conduct. Disciplinary probation will be administered for an appropriate number of observable shift/work days, not to exceed 120 observable shifts for 56-hour personnel and 198 work days for 40-hour personnel. Disciplinary probation is intended to notify the employee that any act(s) by the employee, which could result in further disciplinary action, occurring while the employee is on disciplinary probation, may be grounds for demotion or termination. While on disciplinary probation, an employee will not receive merit raises and will not be eligible to participate in any promotional testing opportunity. Disciplinary probation may accompany any portion of the hierarchy of formal discipline.

Employee Assistance Program (EAP)

An Employee Assistance Program that provides counseling services to employees and their family members. EAP is an employer-paid benefit. Counseling is short-term and completely confidential.

Division

A unit of a department. Divisions report to Sections. Divisions include: Fleet Services, Battalion Operations, Code Enforcement, etc.

Employee

Any person employed by the SFMD.

Employment List

A list of names of persons who have applied for employment in the classified service and have qualified for consideration.

Exempt Employee

An employee in a salaried position who is exempt from FLSA overtime provisions.

Fire Chief

Chief administrative officer and responsible for the proper administration of all affairs of the SFMD.

FLSA

Fair Labor Standards Act.

FMLA

Family Medical Leave Act as defined within these rules and defined by federal regulations.

Full-Time Employee

An employee hired on a basis of a 40 hour work week.

Governing Board

Elected officials of the SFMD established with the power and duties as provided in Arizona Revised Statutes §48-801 to §48-834.

Guideline

A standard practice by which a reasonable and prudent course of action may be determined. A guideline aims to outline a decision-making process that adheres to a set routine and falls within generally accepted parameters.

Hire Date

The date an individual becomes an employee of the SFMD.

Job

A position within the classified service as defined within these rules.

Merit System

The rules and regulations as defined within SFMD personnel policy for the classified service.

Non-Disciplinary Corrective Action

Corrective action taken by a supervisor or manager that is not considered formal discipline. These actions include but are not limited to, coaching and verbal counseling, written counseling, and/or performance improvement plans.

Non-Exempt Public Safety

Public safety employees as defined in these rules and are classified as non-exempt by the FLSA.

Overtime Hours

Those hours in excess of the established number of hours for the established work period.

Part-time Employee

An employee hired on a basis of less than eight hours a day or less than 40 hours per week.

Probationary Employee

Any person employed by the SFMD for less than a twelve (12) month period or for whom said probationary period has been extended for a time period not to exceed six (6) months.

Promotional Examination

An examination for a particular class, admission to the examination being limited to employees in the classified service who meet the qualifications for the class.

Performance Appraisal

The periodic evaluation of an employee's work performance.

Performance Improvement Plan (PIP)

A written plan that alerts an employee about a performance problem and provides a period of time to correct the deficiency. The plan outlines the supervisor's performance expectations, steps to be completed by the employee, and warns the employee of potential consequences for failing to complete the plan successfully.

Position

An aggregation of tasks and responsibilities requiring the services of one person.

Policy

A deliberate system of principles and associated practices that direct decisions to achieve rational outcomes. Policies are formulated and enforced by management.

Probationary Period

A working test period of not less than twelve (12) months for all employees, during which time employees are required to demonstrate their fitness, ability, and dedication for the duties to which they are appointed by actual performance of the duties of the position. Probation period may be extended an additional six (6) month period with Section Manager approval.

Procedure

A process outlined to support a Policy. A series of steps or operations which have to be executed in the same manner to achieve intended results.

Progressive Discipline

The practice of implementing the lowest appropriate level of disciplinary or non-disciplinary corrective action and advancing to higher levels in response to misconduct or poor performance. Although supervisors are encouraged to adhere to progressive discipline, they are not required to do so. Certain serious infractions may require severe disciplinary action without receiving a lesser discipline first. Progressive discipline does not necessarily begin again for subsequent misconduct of a different nature.

Promotion

The movement of an employee from a position in one class to a position in another class having a higher rate of pay.

PSPRS

Public Safety Personnel Retirement System

Public Safety Employee

Any employee in the classified service whose job duties are regularly hazardous in nature. Duties include but are not limited to; fire suppression, emergency medical services, technical rescue and other emergency response activities.

Reclassification

Changing the classification of a position when a material change in duties or responsibilities occurs.

Reinstatement

Consideration of re-employment for a former SFMD employee, who left employment in good standing, during the twelve (12) months immediately following the employee's separation.

Resignation

A written notice filed with the appropriate section manager indicating an employee's intention to separate employment with the SFMD.

Retirement

Any employee covered by either the Public Safety Personnel Retirement System or Arizona State Retirement Plan who has reached the designated age and possesses the appropriate number of years of service, and who elects to receive an annuity benefit from either plan.

Section

Refers to the executive (assistant chief) level of the organization. Sections include: Emergency Services, Administrative Services, Technical & Community Services, and Financial Services.

SFMD

Superstition Fire and Medical District as established by Arizona Revised Statutes §48-801 to §48-834.

Special Merit Increase

A one step increase may be given at the recommendation of the department head or section manager with the approval of the fire chief to an employee at any time for outstanding job performance. Only one special merit increase may be given to an employee during any fiscal year.

Supervisor

An employee in the classified service who is appointed to a position which requires the supervision and management of another employee or employees.

Suspension

Considered the third level of formal discipline. The Fire Chief or his/her designee may suspend an employee for serious or repeated violations of or in response to such matters as an employee's poor work performance; inappropriate conduct; violation of any SFMD policy or procedure to include the organizations Declaration of Ideals and Code of Conduct. The employee is released from work duties without pay for a specified period of time not to exceed 30 consecutive calendar days or 30 total days in a fiscal year. Any suspension without pay must be approved by the Fire Chief.

Telestaff

Electronic staffing and scheduling platform that allows employees access to daily rosters, earned leave management and payroll integration. Available in desktop and mobile versions.

Temporary Employee

An employee hired either full-time or part-time to a position which is temporary or limited in character. Temporary employees are not eligible for Appeal Board consideration, nor do they receive fringe benefits of the permanent employee.

Termination

Considered the fifth and final level of formal discipline. The Intent to Discipline form must be signed by the employee or a witness and must be forwarded to the HR Office for inclusion in the employee's official personnel file. The Fire Chief or his/her designee may terminate an employee for serious or repeated violations of or in response to such matters as an employee's poor work performance; inappropriate conduct; violation of any SFMD policy or procedure to include the organizations Declaration of Ideals and Code of Conduct. Terminated employees will not be eligible for future employment with the SFMD.

Transfer

A change of an employee from one position to another position in the same class or comparable class from one position to another position in the same class or comparable class.

Verbal Counseling

A discussion between a supervisor and employee where the supervisor notifies an employee about a deficiency and counsels them about potential consequences should the problem continue. Verbal counseling should be followed up with a documented cuff note in the supervisor's workstation file for that employee.

Written Counseling

Written Counseling is a formal memorandum that is signed by the employee that documents, clarifies, and summarizes discussions and expectations of the supervisor. This document notifies the employee about a particular problem, and warns them about the consequences for not correcting it. A Written Counseling should be used in response to more serious violations or repeated problems. This tool goes one step further than a Cuff Note in that the employee sees and receives a copy of it. The memo summarizes and documents agreements or expectations made during a prior discussion. This method helps prevent misunderstandings and adds a degree of formality and seriousness to the matter. The employee's signature documents he/she has been notified of the problem and has received a copy of the memorandum. Written Counseling's must be forwarded to the HR Office for inclusion in the employee's official personnel file. Supervisors may wish to use this method when dealing with situations that have a serious potential of requiring future disciplinary action.

Written Reprimand

Considered the first level of formal discipline. Written Reprimands should only be given in response to more serious violations, including a pattern of poor behavior or performance problems that lesser responses have failed to correct. Willful violations of policies or procedures, or continued performance problems may also be grounds for issuing Written Reprimands. Written Reprimands are signed by the employee or a witness (if the employee refuses to sign), and must be forwarded to the HR Office for inclusion in the employee's official personnel file.