

# Volume I: Administrative Policy Manual

**Superstition Fire & Medical District**

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

# Policy 100 – Fire Service Authority

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to affirm the legal authority of the Superstition Fire & Medical District and the individual members.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to limit its members to only exercise the authority granted to them by law.

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

## 3. ORGANIZATIONAL POWERS

This district is authorized by Arizona law to perform fire suppression and related services including, but not limited to (ARS § 9-240; ARS § 48-805; ARS § 36-2207; ARS § 36-2232):

- a. Fire prevention and fire code enforcement.
- b. Fire suppression services.
- c. Fire cause and origin investigation.
- d. Emergency Medical Services (EMS).
- e. Emergency Medical Transport Services.

## 4. FIREFIGHTER POWERS

Firefighters are sworn or appointed members of this district and are authorized to exercise the following authority pursuant to applicable state law:

- a. Participate in a wide range of emergency and rescue activities, including EMS, extrication and heavy rescue
- b. Perform fire suppression duties, including the suppression of structural, aircraft, marine, wildland and other types of fires
- c. Investigate the cause and origin of fires
- d. Collect and preserve evidence when a fire is of a suspicious origin

- e. Possess peace officer status when serving as a fire arson investigator or Fire Marshal (ARS § 9-500.01)
- f. Perform specialty services, including hazardous materials response, technical rescue, water rescue and additional services as authorized by the Fire Chief
- g. Provide fire code enforcement inspection and plan review services
- h. Provide public education and fire prevention activities and services

## **5. TRANSPORT SERVICES PERSONNEL**

The Superstition Fire & Medical District is regulated by the Arizona Department of Health Services (AZDHS) to provide Advanced Life Support and Basic Life Support Emergency Transport Services. Transport Services Personnel of SFMD are authorized to exercise the following authority pursuant to the Arizona Department of Health Services:

- a. Participate in emergency medical activities, including ALS and BLS patient care in accordance with Article 5 of the Bureau of EMS & Trauma Statutes and Rules Book.
- b. Transportation of patients from the scene of the call to the appropriate facility.
- c. Collect and document patient care records, including clinical, demographic, and billing related information.
- d. Compliance with all AZDHS Certificate of Necessity (CON) guidelines outlined in Article 9 of the Bureau of EMS & Trauma Statutes and Rules Book.
- e. Compliance with the requirements outlined in Superstition Fire & Medical District Certificate of Necessity (CON) #137.

## **6. CONSTITUTIONAL REQUIREMENTS**

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

## **7. SUPERVISORY AUTHORITY**

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

# Policy 102 – Oath of Office

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to district members.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that, when appropriate, district members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the District and the dedication of its members to their duties.

## 3. OATH OF OFFICE

Upon employment, all sworn, appointed or elected personnel shall take and subscribe to the following oath or affirmation in addition to any other form of oath or affirmation required (ARS § 38-231).

State of Arizona, County of \_\_\_\_\_

I, [employee name], 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 (name of position or office) according to the best of my ability, so help me God (or so I do affirm).

When a person to be sworn has conscientious scruples against taking an oath, he/she shall be permitted to be affirmed. The words of the affirmation shall be the same as the words of the prescribed oath, except that the word "affirm" shall be substituted for the word "swear" and the words "so help me God" shall be deleted.

## 4. MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (ARS § 38-233).

# Policy 103 – Policy Manual

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Last Revision: 10/18/2023

## 1. PURPOSE AND SCOPE

The Policy Manual of the Superstition Fire & Medical District (SFMD) is a statement of the current policies, rules and guidelines of this district. All members are expected to conform to the provisions of this manual.

All prior and existing policies, manuals, orders and regulations that are in conflict with this manual are revoked, except to the extent that portions of the existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

## 2. POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guiding principles. It is recognized that fire and rescue work is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed using an objective standard, taking into consideration the sound discretion entrusted to the members of this district under the circumstances reasonably available at the time of any incident.

### 2.1 DISCLAIMER

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

### 2.2 SEVERABILITY

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

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

### 3. AUTHORITY

The SFMD Board of Directors and the Fire Chief shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Fire Chief or the authorized designee is authorized to issue Interim Directives, which shall modify those provisions of the manual to which they pertain. Interim Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

### 4. DEFINITIONS

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

- **Adult** - Any person 18 years of age or older.
- **Civilian** - Employees and volunteers who are not sworn or engaged in fire suppression as part of their primary duties.
- **District/SFMD** - The Superstition Fire & Medical District.
- **Employee** - Any person employed by the District.
- **Fire Code** - The 2018 Edition of the International Fire Code as adopted by the Superstition Fire & Medical District as allowed by Arizona State law (AAC § R4-36-201).
- **Firefighter/Sworn or appointed** - Those members, regardless of rank, who perform fire suppression duties as part of their primary duties as sworn, appointed or elected members of the Superstition Fire & Medical District.
- **Health and Safety Officer** - Member designated by the Fire Chief as responsible for the administration of health and safety-related programs and policies for the Superstition Fire & Medical District. The Fire Chief shall assume responsibility for health and safety-related policy and program administration if there is no designee.
- **Manual** - The Superstition Fire & Medical District Policy Manual.
- **May** - Indicates a permissive, discretionary or conditional action.
- **Member** - Any person employed or appointed by the Superstition Fire & Medical District, including:
  - Full- and part-time employees
  - Sworn or appointed firefighters
  - Civilian employees
  - Volunteers
- **Memorandum of Understanding** - A written agreement between the employee organization and the Fire Board of Directors.

- **On-duty** - Member status during the period when he/she is actually engaged in the performance of his/her assigned duties.
- **Order** - A written or verbal instruction issued by a superior.
- **Rank** - The title of the classification held by a firefighter.
- **Senior Leadership Team (SLT)** - The Fire Chief, any Assistant Chief, and Directors.
- **Shall or will** - Indicates a mandatory action.
- **Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.
- **Supervisor** - A person in a position of authority responsible for directing the work of other members. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

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

- **Union Leadership** - Any member of the Executive Board or Stewards of the employee organization.

## 5. DISTRIBUTION OF THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the district network for viewing and printing. No changes shall be made to the manual without authorization from the Fire Chief or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review, the Policy Manual and Interim Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

## 6. PERIODIC REVIEW OF THE POLICY MANUAL

The Fire Chief will ensure that the Policy Manual is periodically reviewed and updated as necessary.

## 7. REVISIONS TO POLICIES

Members are responsible for keeping informed of all Policy Manual revisions.

All district members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors or appropriate Labor/Management Committee, who will consider the recommendations and forward them to the Senior Leadership Team as appropriate.

Administrative Services is the Fire Chief designee and custodian of SFMD policies. Policies will be reviewed and approved in the following manner.

- The Fire Chief will delegate policy to the respective division or Labor/Management Committee for review, research or update.
- A draft copy will be created.
- The draft policy will be shared with the appropriate Labor/Management Committee for review and potential revision.
- The reviewed and/or revised policy will be sent to the Policy Committee for confirmation that it does not conflict with and is consistent with other policies.
- During the review period, employees will email recommendations or concerns to a member of the appropriate Labor/Management Committee, Employee Organization Representative, or the Senior Leadership Team.
- Comments and recommendations will be brought before the Labor Management Correlating Committee for review, endorsement, or possible revision.
- The Senior Leadership Team will submit the draft policy to the SFMD Board of Directors for approval.

Upon adopting the Memorandum of Understanding, the Administrative Services Director will make necessary changes to any associated policies to avoid MOU and District policy conflicts.

Because the MOU has been approved, only policy changes that correlate with the MOU will be updated and implemented without the regular Board of Directors approval process.



# **Chapter 2: Organization and Administration**

# Policy 200 – Organizational Structure

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

## 3. DIVISIONS

The Fire Chief is responsible for managing the Superstition Fire & Medical District. The following Divisions make up the Superstition Fire & Medical District:

- a. Administrative Services Division
- b. Emergency Services/Operations Division
- c. Planning and Logistics Division
- d. Financial Services Division

### 3.1 ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division is managed by the Administrative Services Director and provides administrative support to the Fire Chief; manages the human resources, technical services, and payroll functions; and reviews, prepares and presents staff reports to the District, the District staff and District officials.

It is the responsibility of the Administrative Services Director to prepare and maintain a current organizational chart.

### 3.2 EMERGENCY SERVICES/OPERATIONS DIVISION

The Emergency Services/Operations Division is directed by an Assistant Chief. The Emergency Services/Operations Division responds to all fire, rescue and medical aid calls for service; manages major disaster responses; and staffs various emergency response apparatus and support units.

The Emergency Services/Operations Division oversees the emergency response, training, and emergency medical services functions and supervises all staff assigned to the division.

### **3.3 PLANNING AND LOGISTICS DIVISION**

The Planning and Logistics Division is directed by an Assistant Chief. The Planning and Logistics Division oversees the fleet services function, transportation services (medical transport), and fire prevention activities.

Fleet Services Department is responsible for the care and maintenance of District vehicles, apparatus, and miscellaneous equipment.

Transport Services Department manages the medical transport function and the personnel assigned to medical transport.

The Fire Prevention Department performs inspections of businesses and occupancies as mandated by applicable law. In addition, this Department may be the lead agency or act as a support service in the investigation of all major fires occurring within the jurisdiction of the Superstition Fire & Medical District. The Fire Prevention Department also conducts community risk reduction activities and manages volunteers who support this function.

### **3.4 FINANCIAL SERVICES DIVISION**

The Financial Services Division is managed by the Finance Director. The Financial Services Division is responsible for the financial functions of Accounts Payable and Receivable and prepares and manages the District budget. The Financial Services Director supervises members assigned to this division.

## **4. UNITY OF COMMAND**

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

## **5. CHAIN OF COMMAND**

Respect for rank is essential for administrative and operational efficiency. All members of the Superstition Fire & Medical District shall adhere to the chain of command. All members shall be thoroughly familiar with the National Incident Management System (NIMS) and the Incident Command System (ICS) and operate within their parameters throughout the duration of all emergency incidents.

A supervising or commanding officer will be identified for each district member. This supervisor/commanding officer is the first step in the organizational chain of command, followed by the next level of commanding officer as set forth in the district's organizational structure.

Members of the Superstition Fire & Medical District shall generally conduct district business through the established chain of command. Members shall consult with and report to their commanding officer/supervisor when making recommendations for changes, alterations or improvements concerning district matters. Members shall forward all reports and recommendations through the chain of command. The submission should include written comments from the member's immediate supervisor to indicate whether he/she approves of the recommendation. No memo or recommendation should be stopped in the chain of command before it reaches its intended destination/officer.

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

## **6. DIRECTIVES AND ORDERS**

Members shall comply with lawful directives and orders from any district supervisor or person in a position of authority, absent a reasonable and bona fide justification.

A member who believes any written or verbal order to be unlawful or in conflict with another order shall:

- a. Immediately inform the supervisor issuing the order, and also the member's immediate supervisor or the Fire Chief, of the conflict or error of the order.
- b. Provide details explaining the grounds for believing there is a conflict or error.
- c. Request clarification, guidance and direction regarding following the order.
- d. Request the order in writing, absent exigent circumstances, should the conflict or perceived error be unresolved.
- e. Respectfully inform the supervisor that he/she intends to disobey what he/she reasonably believes to be a conflicting or unlawful order.

A member's decision to disobey an order that he/she believes to be unlawful is not a bar to discipline should the order be determined as lawful.

## **7. ALTERNATE CHANNELS OF COMMUNICATION**

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

As a general matter, any concern about a workplace situation should first be raised with the member's immediate supervisor. It is recognized, however, that there may be occasions where the use of the established chain of command may not be appropriate. If an issue is of a personal nature, involves a

sensitive matter, is of significant importance to the District or involves other members or supervisors, the member may consult directly with the Assistant Chief/Director, the Fire Chief or a representative of the Department of Human Resources.

All members are free to make or prepare to make, in good faith, any complaint that identifies ethical or legal violations, including fraud, waste, abuse of authority, gross mismanagement, violations of the law or practices that may pose a threat to the health, safety and security of the public or members without fear of actual or threatened discrimination, retaliation or reprisal. Such complaints are not subject to the chain of command and may be made to any supervisor or directly to the Department of Human Resources. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, applicable state law, ordinance or memorandum of understanding.

Any form of reprisal or retaliation against any member for making or filing a complaint in good faith or for participating in the investigation of a complaint is prohibited. Any member engaging in any form or type of reprisal or retaliation is subject to discipline (see [Policy 1045 – Anti-Retaliation](#)).

# Policy 201 – Emergency Action Plan and Fire Prevention Plan

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide for member and visitor safety in the event of an emergency at any district facility and ensure compliance with the Code of Federal Regulations and Arizona law mandating all employers to develop and maintain an Emergency Action Plan (EAP) and a Fire Prevention Plan (FPP) (29 CFR 1910.38; 29 CFR 1910.39; AAC § R20-5-602).

## 2. POLICY

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

## 3. EMERGENCY ACTION PLAN AND FIRE PREVENTION PLAN

The Administrative Services Assistant Chief/Director will develop and maintain an EAP and FPP to provide for the safety of district members and visitors in the event of an emergency. The EAP and FPP will address the specific requirements contained in the Arizona OSHA plan (29 CFR 1910.38; 29 CFR 1910.39; AAC § R20-5-602) and will address all buildings, facilities and regular places of work or visitor access that are controlled by the District. The plan also will address actions that members of the District must take to ensure their safety and that of visitors from fire and other emergencies.

- a. The EAP shall be in writing and its elements shall include, but are not limited to (29 CFR 1910.38):
  1. Emergency evacuation procedures, including escape procedures and emergency escape route assignments.
  2. Procedures to be followed by members who remain to conduct critical facility operations before they evacuate.
  3. Procedures to account for all members and visitors after an emergency evacuation has been completed.
  4. Rescue and medical duties.
  5. Means of reporting fires and other emergencies.
  6. Names or job titles of persons or departments that can be contacted for further information or an explanation of duties under the plan.
  7. The alarm system that will be used to notify members and visitors in the event of a fire or other emergency situation.
  8. The types of evacuations to be used in emergency circumstances.

- b. The FPP shall be in writing and its elements shall include, but are not limited to (29 CFR 1910.39):
  - 1. A list of major fire hazards, handling and storage procedures for hazardous materials, potential ignition sources and their control procedures and the type of fire equipment necessary to control the hazard.
  - 2. Names and job titles of persons responsible for maintaining the equipment to prevent or control sources of ignition or fires.
  - 3. Names and job titles of persons responsible for control of fuel source hazards.
  - 4. Procedures to control the accumulation of flammable and combustible waste.
  - 5. Maintenance procedures for heat-producing equipment to prevent accidental ignition of combustible materials.
- c. The written EAP and FPP shall be kept at each district workplace or facility and shall be made available for member and visitor review.

#### **4. TRAINING**

The District will provide state-mandated training supporting the EAP and FPP to all members and also to those persons who become members at the time they are assigned to the facility, as described in the Emergency Action Plan and Fire Prevention Plan Training Policy (29 CFR 1910.38(e); 29 CFR 1910.39(d); AAC § R20-5-602).

# Policy 202 – Interim Directives

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a process to make immediate changes to district policy. The Superstition Fire & Medical District will, as necessary, issue Interim Directives that will immediately modify or change and supersede the sections of this manual to which they pertain.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to make any immediate changes to policy and procedure in accordance with the current memorandum of understanding. Generally, the establishment of Interim Directives is management's prerogative but the involvement of the Labor Management Group may be sought in the development of directives. However, Management shall have final say in the language and content of these directives.

It is the policy of the District to comply with any meet-and-confer requirements between labor groups and authorized district representatives.

## 3. RESPONSIBILITIES

The Fire Chief shall issue all Interim Directives.

All district officers and/or supervisors shall be responsible for communicating Interim Directives to all members under their command and/or direct supervision.

Interim Directives will be rescinded upon incorporation into this manual.

All Interim Directives shall be reviewed periodically to authenticate or determine if they are currently applicable to the mission of the District.

# Policy 203 – Training Policy

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

Whenever possible, the District will use courses certified by the Arizona Department of Emergency and Military Affairs, Emergency Management; Arizona Center for Fire Service Excellence (AZCFSE); International Fire Service Accreditation Congress (IFSAC); National Wildfire Coordinating Group (NWCG); the U.S. Department of Homeland Security or other accredited entities.

## 3. OBJECTIVES

The objectives of the training program are to:

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

## 4. TRAINING PLAN

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

## **5. TRAINING NEEDS ASSESSMENT**

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

# Policy 204 – Liability Claims

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

## 3. RESPONSIBILITY

The Fire Chief should designate a risk manager to receive, investigate and evaluate any claim for loss or damage received by the District.

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

## 4. RESPONSE TO CLAIMS

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

The risk manager should ensure the claim is accepted or rejected. Notice of acceptance or rejection should be given to the claimant in writing and in compliance with state law. If a claim is rejected because it was filed late, the notice should state that the claim was returned as untimely.

# Policy 205 – Electronic Mail

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the District.

## 2. POLICY

Superstition Fire & Medical District members shall use email in a professional manner in accordance with this policy and current law (e.g., Arizona Public Records Law).

## 3. PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any district technology system.

The District reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the District, including the district email system, computer network or any information placed into storage on any district system or device. This includes records of all keystrokes or Web-browsing history made at any district computer or over any district network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through district computers, electronic devices or networks.

## 4. RESTRICTED USE

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the District.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire district are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from his/her supervisor.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password.

## **5. EMAIL RECORD MANAGEMENT**

Email may, depending upon the individual content, be a public record under Arizona Public Records Law and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Management Policy.

# Policy 206 – Administrative Communications

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

## 3. PERSONNEL ANNOUNCEMENTS

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

## 4. CORRESPONDENCE

In order to ensure that the letterhead and name of the District are not misused, all external correspondence shall be on district letterhead.

All district letterhead shall bear the signature element of the Fire Chief or the actual signature of an authorized signer. Members of the District may use letterhead only for official business and with approval of their supervisor.

## 5. MEMORANDUMS

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

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

Recommendations for a standardized district memorandum format include:

- a. A standard heading, including the name of the District.
- b. The date of the memorandum.
- c. The intended recipient of the memorandum.
- d. The name, rank and division of the district member creating the memorandum.
- e. A brief statement of the subject of the memorandum.

## **6. SURVEYS**

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

# Policy 207 – Minimum Staffing Levels

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for unit staffing levels based on daily operational needs, and unique local or regional circumstances, consistent with any memorandum of understanding.

Staffing levels may be established through adopted Standards of Cover or at levels approved by the Authority Having Jurisdiction (AHJ), the Fire Chief and any memorandum of understanding.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Qualified** - Any member who has satisfactorily met the requirements for the position (e.g., Engineer, Captain), either through promotional examination or a training program approved by the District.

**Out of class assignment** - Any situation in which a member of the District functions in a rank above his/her normal position description and job duties.

## 2. POLICY

The District balances the member's needs and wishes with the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the principle concern is the need to meet the operational requirements of the District.

## 3. OUT OF CLASS ASSIGNMENTS AND SUPERVISION

In order to accommodate operational flexibility and other unforeseen circumstances, any firefighter or an Engineer, if qualified, may be used as a Captain for a limited time consistent with any existing and applicable memorandum of understanding

With prior authorization from the Assistant Chief/Director or the authorized designee, a qualified Captain may act as the Battalion Chief for a limited time.

Decisions regarding supervision should result in each firefighter and Engineer being supervised by a single Captain or acting Captain. Each Captain should be supervised by a Battalion Chief or an acting Battalion Chief.

#### **4. MINIMUM STAFFING GUIDELINES**

In order to meet operational needs, the following minimum staffing guidelines should be followed whenever practicable:

- a. Engine companies should be comprised of a minimum of one Captain, one Engineer and one firefighter.
- b. Ladder trucks or aerial units should be comprised of a minimum of one Captain, one Engineer and two firefighters.
- c. Rescue units should be staffed with two Firefighters.
- d. Medic units should be staffed with one paramedic and one EMT or in compliance with the local Emergency Medical Services (EMS) coordinating system or the Arizona Bureau of EMS & Trauma System guidelines.
- e. The Battalion unit should be staffed with one Battalion Chief.

If staffing falls below minimum guideline levels, the Battalion Chief shall have the authority to call back a sufficient number of personnel to fill vacancies. This includes holding over personnel from a previous shift.

The Captain is responsible for promptly notifying the Battalion Chief in the event that the number of available on-duty personnel falls below the recommended minimum staffing guidelines.

Should a situation arise where an apparatus responds with less than the minimum number of qualified personnel, the officer in charge should notify the Dispatch Center that the unit is understaffed and request that an additional unit respond, if necessary.

# Policy 208 – Solicitation of Funds

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure that fundraising activities associated with the District are consistent with its mission, values and legal status. This policy applies to all fundraising activities involving the District or the use of the District name, insignias, equipment or facilities.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Fundraising** - The collection of money through donations, sales or event programming for the purpose of charitable donation or organizational budget enhancement.

## 2. POLICY

It shall be the policy of this district that all fundraising activities involving on-duty members or use of district equipment for the financial benefit of the District must be authorized by the Fire Chief or the authorized designee prior to initiating solicitations.

Authorized fundraising activities should not indicate or imply that a donation will influence services provided by the District. Members engaged in fundraising activities are expected to act ethically regarding the solicitation of funds, the interaction with donors or potential donors and the maintenance of fundraising records.

Members are prohibited from soliciting any goods or services from local businesses, groups or individuals for the purpose of providing incentives, prizes or giveaways to attendees of district- sponsored or hosted events, or to events when members attend as representatives of the District.

## 3. GUIDELINES

Fundraising activities or events involving the District should incorporate:

- a. Compliance with applicable federal, state and local laws and regulations.
- b. Compliance with district and governing-body policies.
- c. A benefit to the District that is consistent with the District mission.
- d. An accurate description of the purpose for which funds are requested.
- e. A limitation on the frequency of solicitations to avoid placing undue pressure on donors.

- f. Identification of the individual soliciting funds as a volunteer, a member of this district or a hired solicitor.
- g. An admonishment that encourages donors to seek independent advice if there is reason to believe that a proposed gift might significantly affect the donor's financial position, taxable income or relationship with other family members.
- h. The assurance that donor requests to limit the frequency of contacts, to prohibit solicitation by telephone or other technology, and to reduce or cease sending printed or electronically transmitted material concerning the District will be honored.
- i. Respect of donors' privacy and a commitment that the District will not sell donors' names and contact information.

Commercial or corporate sponsorship of fundraising activities or events may be allowed provided that it has been preapproved by the Fire Chief or the authorized designee.

#### **4. DISTRICT-SPONSORED EVENTS**

The following also apply to district-sponsored fundraising events:

- a. Fundraising events should be clearly identified by a sign indicating the name, product, service, price and purpose of the event.
- b. At least one member should be present during the entire event.
- c. Individuals participating in the event should be briefed and supervised to ensure their activities are consistent with this policy.
- d. Individuals participating in the event should not be compensated by a commission or a percentage of the amount collected.
- e. Funds raised should be deposited no later than the next business day.
- f. All donors should receive a receipt for the amount of their donation. In efforts involving a less formal "drop" collection, receipts need not be issued unless requested.
- g. Fundraising activities should not delay emergency response or otherwise compromise the mission of the organization.
- h. Fundraising that takes place on public-owned or private property will be done with the knowledge and approval of the property custodian or owner.
- i. Fundraising that occurs on public ways or near roadways will be coordinated with the responsible law enforcement agency for the protection of pedestrians, motorists and event participants. Proper safety apparel shall be worn when in roadways or traffic areas.

## **5. FUNDRAISING ON BEHALF OF OTHERS**

Fundraising for the benefit of a nonprofit charitable third party (e.g., blood drive, burn victims, surviving families) having no direct affiliation with the District is permissible provided that the fundraising standards and event prerequisites listed above are followed.

Any materials associated with a third-party fundraising activity shall be approved by the Fire Chief or the authorized designee prior to the activity. In addition, there should be a written agreement between the District and the organizers of the activity that includes:

- a. Written verification that the event is for a charitable purpose.
- b. Assignment of responsibility to the organizers for all direct costs incurred for the event.
- c. Assignment of responsibility to the organizers for the collection and reporting of any applicable taxes.
- d. Written instructions regarding the maintenance of funds raised on behalf of others. The funds shall be maintained in a separate fund and not commingled with other district funds.

The District reserves the right to require additional conditions including, but not limited to, evidence of insurance coverage or appropriate indemnification.

# Policy 209 – Labor Management Relations

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## 1. PURPOSE AND SCOPE

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

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.

## 2. LABOR/MANAGEMENT GUIDING PHILOSOPHY

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 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.

## 3. 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.

### 3.1 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.

### 3.2 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.

### 3.3 PERSONNEL MANAGEMENT

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

## 4. PRINCIPLES AND 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:

- a. We value a Professional, Honorable and Respectful relationship.
- b. Labor and Management must communicate regularly, deal with each other directly, and resolve issues together when they are small.
- c. The long-term Labor/Management relationship is more important to the mission than any single outcome.
- d. It is an industry expectation that our service and communications should be driven by pragmatic solution strategies, not ideologies.
- e. Labor and Management will embrace and promote the issue of trust...trust in the "process" and trust among participants.
- f. 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.
- g. 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.
- h. 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.

- i. 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.
- j. Labor and Management are expected to act with cognizance of both legal and moral liability.
- k. 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.
- l. 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.
- m. 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.
- n. 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.
- o. 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.
- p. 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.
- q. Management values and appreciates the role Labor plays in assuring fair and reasonable employee actions occur in the disciplinary process.
- r. 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.
- s. 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.

- t. 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.
- u. 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.

## **5. 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.



# **Chapter 3: General Operations**

# Policy 300 – Safe Haven Newborn Law

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## 1. PURPOSE AND SCOPE

This policy establishes the guidelines to comply with the Arizona Safe Haven Newborn law.

This policy addresses infants who are 72 hours old or younger and are surrendered under the Safe Haven Newborn law.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Parent** - The parent or an agent of the parent who surrenders a newborn infant and does not express an intent to return for the infant (ARS § 13-3623.01).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide an option to protect infants by allowing a parent to safely and confidentially surrender an infant at any staffed fire station that has been designated as a safe-surrender site.

## 3. GUIDELINE

The Fire Chief shall identify qualified personnel to take custody of surrendered infants and ensure that such qualified personnel are available to receive any surrendered infants.

The following guidelines will be used by personnel at all district stations:

1. Site preparation:
  - a. All district stations shall clearly display the appropriate safe haven signage identifying the station as a drop-off location (ARS § 13-3623.01).
2. Accepting a surrendered infant:
  - a. Qualified personnel shall accept a surrendered infant, even if the infant appears older than 72 hours. If the infant appears to be older than 72 hours or a victim of child abuse or neglect, the receiving personnel should immediately notify law enforcement as provided in the Child Abuse Policy.
  - b. Surrendered infants 72 hours or younger shall be transported to the hospital as soon as practicable (ARS § 8-528). Personnel should notify the Dispatch Center of a medical aid at the station, and request an Advanced Life Support (ALS) ambulance and/or a paramedic

unit, if they are not available in quarters. Avoid radio traffic declaring a safe surrender to maintain confidentiality.

3. Following acceptance of an infant:

- a. A member shall contact the Arizona Department of Child Safety (DCS) and advise that an infant has been surrendered at the Superstition Fire & Medical District and provide the name and location of the hospital where the infant is being transported (ARS § 8-528).
- b. If available, written information about safe haven for newborns and referral organizations should be provided to the parent of the infant.
- c. The parent should be encouraged to accompany the infant to the hospital to give medical history directly to the hospital staff and should be reassured that the same protection from prosecution and the ability to surrender the infant is available at the hospital.
- d. If the parent does not wish to accompany the infant to the hospital, the parent should be encouraged to provide medical history of the infant.

4. Medical assessment and documentation:

- a. A qualified health care professional shall assess the infant to identify any immediate treatment needs and complete a Patient Care Report (PCR) for the incident.
- b. If the parent is the birth mother, a qualified health care professional should attempt to assess and treat her as necessary and pursuant to established Emergency Medical Services (EMS) protocols.
  - i. Do not use the parent's name on the PCR.

5. Additional notifications and media concerns:

- a. The receiving personnel shall notify the Dispatch Center and their appropriate supervisor as soon as practicable.
- b. The supervisor will notify the Battalion Chief, duty officer and the District Public Information Officer.
- c. The Public Information Officer may, as circumstances dictate, provide the following limited facts to the media:
  - i. Date, time and fire station where the infant was surrendered
  - ii. Local DCS representative's name and telephone number
  - iii. Under no circumstances shall the name of the parent be released to the public or media

6. Individuals who return to claim an infant:

- a. If a parent who voluntarily surrendered an infant requests return of the infant, the parent should be referred to DCS.
- b. The identity of the parent must still be kept anonymous and confidential.

- c. District members should not make any judgments about the individual's ability to care for the infant. The local DCS will determine whether the infant is released to the individual.

7. Community donations:

- a. Community groups, volunteers, foundations and individuals may express interest in helping with this program. Some may want to donate baby supplies, such as baby food, diapers or blankets, directly to the fire station. The following guidelines are established:
  - i. Only new baby blankets in the original wrapper should be accepted.
  - ii. Donors who wish to donate any other baby-related items, such as clothes, baby food or diapers, should be directed to a local social service agency and/or reputable charities.



# Policy 301 – News Media and Community Relations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for communicating with representatives of the media, community leaders, residents and businesses, and to establish procedures for interacting with media representatives at emergency scenes. Additionally, this policy establishes an operating framework for integration of the Public Information Officer (PIO) into the incident management system.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to establish and maintain a positive working relationship with the community and the media in order to effectively communicate timely and accurate information.

## 3. PIO DESIGNATION

As soon as practicable on incidents where news media are present and requesting information, the Incident Commander (IC) will be designated as the PIO until the District PIO, or a designee, arrives on scene. The PIO shall interface with and provide timely and relevant information to representatives of the community and media during critical command stages. A single PIO will typically be designated for each incident, including incidents operating under Unified Command and multijurisdictional incidents.

In multi-agency or multijurisdictional incidents, it may be necessary to establish multiple PIOs and a Joint Information Center (JIC) with a PIO and Assistant PIO. In all cases, the PIO shall be responsible for coordinating the dissemination of information that has been approved by the IC for release to the media, the community and other parties that may have been affected by the incident.

Upon arrival at the scene of the incident, the designated PIO will report to the IC, obtain an incident briefing and be assigned the PIO radio designator for the incident.

## 4. DISSEMINATION OF INFORMATION

The PIO should gather and disseminate the following information as deemed appropriate:

1. Incident response information, including the number of units and personnel on-scene
2. Appropriate human interest or safety information
3. Nature of the incident and expertise of the fire personnel deployed (high-rise, technical rescue, etc.)
4. A description of any particular hazards present at the incident
5. Identification of life-saving or heroic acts that may have occurred, including any rescue scenarios

6. Projected duration of the incident
7. Approved evacuation notices and restricted areas

## **5. RESTRICTED INFORMATION**

The PIO shall ensure that legally protected information is not released to the media. The PIO should consult with the IC or the authorized designee about any issues or concerns regarding legally protected information.

Refer to the Line-of-Duty Death and Serious Injury Notification Policy for additional considerations regarding communication with the media concerning a line-of-duty death or serious injury.

## **6. MEDIA INQUIRIES**

All media inquiries received by incident personnel shall be forwarded to the PIO for response. The PIO will endeavor to provide accurate information that is available at the time while clearly communicating that any such information is preliminary. The following communication strategies may be employed:

1. Reporters should be directed to assemble in a designated staging area to wait until additional information can be obtained.
2. If the PIO finds it necessary to remain with media representatives, he/she may request assistance from the IC in gathering information. Media representatives may be allowed to take photographs and video, provided they do not interfere with incident operations or create a safety hazard.
3. Prior to releasing the names or identifying information of persons seriously injured or deceased, the PIO shall confirm that the next-of-kin has been notified. Next-of-kin notifications are generally handled by law enforcement and/or hospital personnel. The PIO should contact the Dispatch Center supervisor to confirm that notification has been made.
4. The names of deceased or seriously injured persons shall not be transmitted over the radio.

The PIO or the authorized designee should not speculate as to the cause of an incident.

## **7. MEDIA ACCESS AND SPECIAL TOURS OR BRIEFINGS**

Authorized members of the media, local leaders, their representatives and other visiting dignitaries may be provided access or tours of scenes of floods, storms, fires, earthquakes, explosions or other emergency scenes when such access can be accomplished safely and when the IC has authorized such activities.

The PIO shall be responsible for scheduling and arranging special tours or briefings in accordance with established National Incident Management System (NIMS) procedures.

Access by the media is subject to the following conditions:

1. The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

2. Media representatives shall be prevented from interfering with emergency operations and criminal investigations.
  - a. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
3. In the case of a fire incident, the PIO may escort media representatives on a tour of a fire-damaged area following knockdown and after receiving authorization from the IC, in coordination with operations personnel. The PIO will be responsible for ensuring that all media personnel wear proper protective clothing as warranted.

#### 7.1 TEMPORARY FLIGHT RESTRICTIONS

If the presence of media or other aircraft pose a threat to public or personnel safety or significantly hamper incident operations, the IC should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Dispatch Center. The TFR request, either for a pre-planned operation or an unplanned incident, should include specific information regarding the perimeter and altitude necessary for the incident. The TFR should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

### 8. NEWS RELEASES

News releases are documents specifically prepared for release to the media. News releases should be authored by the PIO and approved by the Fire Chief or the authorized designee prior to release. News releases should be structured to facilitate use by the print media, typically containing no more than two pages of concise information. News releases should be formatted in accordance with the approved district standard.

### 9. NEWS CONFERENCES

A news conference is a pre-scheduled event intended to highlight a newsworthy event such as a promotion or opening of a new fire station; news conferences can also be used when a representative of the District desires to make a public appearance. The Fire Chief will determine the purpose and scope of the conference. Any accompanying news release will include details, such as the date, time and location, and may reference other officials, dignitaries or agencies that may be in attendance.

The PIO should prepare the news release and/or a prepared statement for the district spokesperson. The PIO shall make arrangements for the site, obtain required equipment, arrange for availability of the news release, identify photo locations and provide escorts, as necessary. The conference may include a moderator or the PIO, who should make introductory remarks and introductions, assist with any question-and-answer period that may follow and conclude the conference.

Specific information should not be released prior to the conference. The PIO should notify appropriate district personnel of the date, time and location of all news conferences. District members attending the news conference should wear their dress uniform as specified in the Uniform Regulations Policy. Attendance requirements will be determined by the Fire Chief or designee.

# Policy 302 – Scene Preservation

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## 1. PURPOSE AND SCOPE

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

### 1.1 DEFINITIONS

Definitions related to this policy include:

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

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

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to minimize the disturbance of conditions and evidentiary items when providing emergency mitigation services in and around scenes.

## 3. SCENE IDENTIFICATION

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

1. The location of any incident that involves a physical assault or results from an act of violence. Such a location should be assumed to be a crime scene. Examples include shooting incidents, stabbing incidents, any incident involving a medical patient injured by the act of another person, suicides, bomb incidents or any act of terrorism.
2. Any incident that law enforcement personnel have identified as a crime scene and have notified district members of that determination.
3. Any unattended death scene.
4. All fire incidents.

5. Any incident where district members believe or have a reasonable suspicion that a crime has taken place. The type of suspected criminal activity may be severe, as in the case of a robbery or burglary, or less severe, as in the case of vandalism.
6. Transportation incidents, including traffic collisions and rail, aircraft, shipping and boating incidents.
7. Industrial accidents.

#### **4. ENTERING SCENES**

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

##### **4.1 STABLE SCENE**

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

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

##### **4.2 UNSTABLE SCENE**

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

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

#### **5. PRESERVATION OF EVIDENCE AT CRIME SCENES**

Whenever practicable, district members should avoid touching, moving, manipulating or otherwise altering anything located at a scene where the potential for evidence exists. In some circumstances, the

need to move items may be unavoidable. In those instances, district members should note what items were moved, who moved them and the location from which they were moved. Members should not attempt to move displaced items back to their original location; rather, the items should be left in the place to which they were moved. The appropriate investigator or law enforcement personnel should be informed of any items that were moved and the location where the items originally were found.

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

## **6. MEDICAL SUPPLIES AND DEBRIS**

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

# Policy 303 – Child Abuse

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the reporting of suspected child abuse.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to ensure law enforcement is notified of suspected child abuse as required by law.

## 3. MANDATORY NOTIFICATION

Members of the Superstition Fire & Medical District shall notify law enforcement when there is a reasonable belief that a child is or has been the victim of abuse or neglect (ARS § 13-3620).

Any supervisor who reasonably believes that reportable abuse has occurred and has not been reported shall ensure that a report is made (ARS § 13-3620).

For purposes of notification, abuse and neglect includes physical injury, sexual abuse, sexual exploitation, sexual offenses, denial of necessary care or nourishment, or a child found in any structure or vehicle where flammable chemicals or equipment is present for the purposes of manufacturing dangerous drugs (ARS § 13-3620; ARS § 13-3623; ARS § 8-201).

### 3.1 NOTIFICATION PROCEDURE

Notification shall occur by telephone and include the following information, if known (ARS § 13-3620):

1. The name, address and age of the child
2. The name and address of the child's parents or other persons having custody of the child
3. The nature and extent of the alleged abuse or neglect
4. Any evidence of previous abuse or neglect
5. Any other information that may be helpful in establishing the cause of the abuse or neglect

The district Emergency Medical Services supervisor should be notified of the incident as soon as practical. A written report shall be prepared and, if requested, forwarded to law enforcement.

If a child is being transported to a medical facility, the receiving center triage nurse or physician shall be notified of the situation upon the child's arrival.

Failure to report an incident of known or reasonably suspected child abuse or neglect by a mandated reporter may result in criminal charges and/or discipline (ARS § 13-3620).

#### **4. CONFIDENTIALITY**

Reports of child abuse are confidential and will only be released in accordance with the Release of Records Policy (ARS § 13-3620).

# Policy 304 – Disposition of Valuables

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which all valuables found at emergency incidents are inventoried and held securely by the District until the items can be returned to the owner or otherwise legally released for disposition.

## 2. POLICY

The Superstition Fire & Medical District will take reasonable measures to safeguard valuables found at incident scenes. The District does not have appropriate facilities for storing valuables for safekeeping. Therefore, alternatives to removing valuables from the scene of emergencies will be taken whenever practicable.

## 3. PROCEDURE

Any member encountering unsecured valuables, such as cash or jewelry, should immediately report it to the Incident Commander, or the member's commanding officer. When local law enforcement is available, valuable property should be transferred to legal custody.

If the valuables cannot be secured and they belong to a medical patient who is transported to a hospital, the member may deliver the valuables to the hospital, obtain a receipt from the receiving nurse and retain a copy of the receipt with the official report of the incident.

If the property or valuables cannot be secured at the location or with a responsible person at the scene, the member should request any on-site law enforcement officer to take the valuables for safekeeping. The member should document the disposition of such valuables, including the identity of any receiving individual, and obtain a receipt from the law enforcement officer and include it in the report of the call.

A member should take valuables into custody only in unusual cases and with the approval of a supervisor. The valuables should be inventoried and the inventory should list any obvious damage. A supervisor should witness the inventory.

Members should document in the incident report the disposition of any reasonably identifiable valuables. When applicable, notification to local law enforcement should be made.

# Policy 305 – Carrying Weapons On-Duty

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to promote the safety of all members by restricting the possession of weapons in the workplace.

## 2. POLICY

Members are prohibited from possessing weapons while on district property or while on-duty, except that members may transport or store a firearm in their personal vehicles so long as the vehicle is locked and the firearm is not visible from outside of the vehicle. For motorcycles, the firearm may be stored in a locked compartment (ARS § 12-781).

Weapons include guns, knives, explosives and other items with the potential to inflict harm.

This policy does not prohibit the possession of equipment provided or authorized by the District and in compliance with state law (e.g., axes, knives) for use by members while performing official duties.

## 3. CONCEALED WEAPONS PROHIBITED

Members are not allowed to carry weapons while on-duty or representing the District in any capacity. The weapon should not be carried into any district facility.

A folding-style knife intended to aid in routine rescue duties is allowed. It should not be displayed or carried openly by members and may not exceed 3.5 inches in length.

## 4. AUTHORIZED CARRY OF DUTY FIREARMS BY INVESTIGATORS

Members who are authorized and have a legitimate need to carry a firearm in the course of their official duties shall carry only district-issued firearms and ammunition. The duty firearm should not be carried during activities that are not directly associated with authorized investigations or other district-related law enforcement activities (ARS § 9-500.01).

When not needed for duty, members shall lock and secure the duty firearm in an appropriate location. Repair or modifications to district-issued firearms shall only be made by an armorer approved by the District who is certified to repair such firearm.

### 4.1 DUTY FIREARMS QUALIFICATION

Members who are authorized to carry a firearm shall satisfactorily complete law enforcement training as required by the Arizona Peace Officer Standards and Training Board (ARS § 9-500.01; ARS § 41-1822).

Members who are authorized to carry a firearm are required to qualify quarterly with their duty firearm on a range course approved by the District. If a member is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from any assignment potentially requiring the use of a firearm until such time as qualification is achieved. Range qualification records shall be maintained in the member's training file in accordance with established records retention schedules.

# Policy 306 – Performance of Duties

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## 1. PURPOSE AND SCOPE

This policy establishes daily performance expectations.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide safe and appropriate responses to emergency calls and for its members to provide professional and competent services.

## 3. RESPONSIBILITIES

All members should be familiar with and in compliance with the policies, standard operating procedures, classification specifications, duties as assigned and any other lawful instruction or order from a superior officer.

## 4. EMERGENCY RESPONSE

All members, upon receipt of any emergency alarm, shall immediately cease all activities and without delay report to their assigned apparatus, respond immediately to the fire or other emergency dispatched, and exert reasonable effort to perform to the best of their ability, given the totality of circumstances.

## 5. COMPETENT PERFORMANCE

Members should perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the District. Unsatisfactory performance may include, but is not limited to:

1. Excessive or unauthorized leave
2. Tardiness
3. Demonstration of a lack of knowledge
4. Failure to conform to the work standards established for the member's classification, grade or position
5. Any other failure to demonstrate good conduct
6. Insubordination
7. Noncompliance with district policy, guidelines, rules, directives and orders

## **6. SAFETY**

All members will exercise reasonable precautionary measures and good judgment to avoid injury to themselves or others while on-duty. Members who witness or are made aware of unsafe behavior should take appropriate steps to report or prevent such actions.

## **7. DRIVER LICENSE**

All members shall possess a valid state-issued driver license of the class required for their assigned duties (ARS § 28-3151).

All members should be familiar with the state vehicle code, any manuals specific to driving or operating district apparatus and all other applicable district policies and procedures.

All members shall report to their supervisor any change in their driver license's status. Failure to maintain a valid driver license in accordance with an employee's current classification specification may result in disciplinary action.

## **8. PROPER COMPLETION OF WRITTEN COMMUNICATION**

All members shall complete and submit all necessary reports, forms and memos on time and in accordance with any other applicable district policy or procedure.

Reports, forms and memos submitted by members shall be truthful and complete. No member shall knowingly enter or cause to be entered any inaccurate, incomplete, false or improper information.

## **9. FIRE DEPARTMENT IDENTIFICATION**

Members should carry their badges and identification cards on their persons while on-duty and in accordance with the Badges Policy, except when impractical or dangerous to their safety or a risk to an investigation.

## **10. LOSS OF EQUIPMENT**

Members shall report to their supervisor the loss or recovery of any district badge, identification card, manual, key or equipment. In the case of an equipment loss, a police report should be filed in the jurisdiction where the loss occurred.

# Policy 307 – Adult Abuse

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## 1. PURPOSE AND SCOPE

This policy provides members of the Superstition Fire & Medical District with guidance regarding when notification is to be made to law enforcement of suspected abuse of certain adults.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to assist victims of adult abuse by making the proper notifications to those responsible for investigating these matters.

## 3. MANDATORY NOTIFICATION

Members of the Superstition Fire & Medical District shall notify law enforcement when there is a reasonable basis to believe that abuse, neglect, or exploitation of a vulnerable adult has occurred (ARS § 46-454).

For purposes of notification, abuse includes intentional infliction of physical harm, injuries caused by negligent acts or omissions, unreasonable confinement, sexual abuse, or sexual assault. Neglect is the deprivation of food, water, medication, medical services, shelter, supervision, cooling, heating, or other services necessary to maintain a vulnerable adult's minimum physical or mental health. Exploitation is the illegal or improper use of a vulnerable adult or his/her resources for another's profit or advantage (ARS § 46-451).

A vulnerable adult is an individual who is 18 years or older and unable to protect him/herself from abuse, neglect, or exploitation by others because of a physical or mental impairment. Vulnerable adult includes an incapacitated person as defined in ARS § 14-5101 (ARS § 46-451).

### 3.1 NOTIFICATION PROCEDURE

Notification should occur as soon as practicable and as follows (ARS § 46-454):

1. Notification to law enforcement should be made in person or by telephone.
2. Information provided should include, if known:
  - a. The names and addresses of the adult and any persons having control or custody of the adult, if known.
  - b. The adult's age and the nature and extent of the adult's vulnerability.
  - c. The nature and the extent of the abuse or neglect.

- d. Any other information that may be helpful in establishing the cause of the adult's abuse or neglect.

The district Emergency Medical Services supervisor should be notified of the incident as soon as practical. A written report shall be prepared and, if requested, forwarded to law enforcement.

If the person is being transported to a medical facility, the receiving center triage nurse or physician shall be notified of the situation upon the person's arrival.

#### **4. RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Release of Records Policy (ARS § 46-454).

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

# Policy 308 – Traffic Collisions

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the reporting and investigation of traffic collisions involving district vehicles and district personnel on official business. This policy applies to collisions involving any district-owned vehicle and to collisions any time district business is being conducted, regardless of who owns the vehicle involved.

## 2. POLICY

It is the policy of this district to investigate all district traffic collisions with the intent of learning the cause of the collision, identifying contributing factors and implementing corrective measures when appropriate.

## 3. REPORTING RESPONSIBILITIES

All district members involved in a traffic collision in a vehicle owned by the District or while conducting district business, regardless of who owns the vehicle, shall immediately report the collision to the appropriate local law enforcement agency and notify an on-duty supervisor.

All district members involved in a traffic collision shall also complete and submit to the supervisor a report of the collision, in addition to any report taken by law enforcement. If the member is incapable, the immediate supervisor shall complete the form. Supervisors are responsible for notifying the Battalion Chief of traffic collisions.

Once notified of a traffic collision, the Battalion Chief is responsible for ensuring that the district investigation and review occurs in a timely manner. The Battalion Chief is also responsible for notifying the Fire Chief and Operations Assistant Chief immediately.

## 4. TYPES OF REVIEWS

Traffic collisions subject to this policy will be classified, investigated and reviewed as follows:

### 4.1 COLLISION LEVELS

A Level I collision is any traffic collision involving:

1. Minor injury to any district member, a contract employee or an employee of another public agency when the injury does not result in treatment at an emergency treatment facility or in subsequent hospitalization.
2. Minor damage to district property or vehicles.

3. Minor damage to non-district property or vehicles while conducting district business.

A Level II collision is any traffic collision involving:

1. Any injury to persons other than district members, except contract and other public agency employees noted in Level I.
2. Any injury requiring immediate transport and treatment of any district member, contract employee or an employee of another public agency at an emergency treatment facility.
3. Major damage to a vehicle owned or operated by the District or major damage to district property.

A Level III collision is any traffic collision involving:

1. The death or anticipated disabling injury of a member of this district.
2. The death or anticipated disabling injury of anyone other than a member of this district, a contract employee or other public agency employee when the traffic collision involves any district member, vehicle or property.

#### 4.2 REVIEW TEAMS

Reviews shall be conducted by the on-duty Battalion Chief or respective manager for Level I collisions.

Level II and Level III collisions will be reviewed by a Battalion Chief or respective manager and a Assistant Chief/Director selected by the Fire Chief, a designated Health and Safety Officer or risk manager and a labor representative of the involved member. The Battalion Chief or manager is the team leader.

### 5. COLLISION REPORTS

The investigation team leader is responsible for the preparation and completion of a written report that describes the traffic collision, any contributing factors, all persons and equipment involved and recommendations for preventing a recurrence.

Reports involving any and all collisions will be submitted through the chain of command to the Assistant Chief/Director in charge of the involved member, as well as the Fire Chief.

Following review by the Fire Chief, the completed report and all related documentation from the investigation will be forwarded to the district's Custodian of Records for filing.

A completed report should include the following:

1. Investigation methods: Identify the members of the investigation team and the agencies involved in the investigation and describe the process of the investigation, including the names of any persons interviewed.
2. People, vehicles and equipment: List and identify all people, vehicles and equipment involved in the traffic collision.

3. Collision scene and environmental conditions: Describe the location, roadways, vehicle positioning, weather conditions, road/ground surface condition and/or visibility.
4. Include diagrams, drawings, photographs and reports from any investigating law enforcement agencies.
5. Collision description: Describe the collision based on the facts gathered. Provide time frame sequence, movements, relative positioning, performance of vehicles and equipment and the actions of persons involved.
6. Policies and procedures assessments and recommendations: Identify any district policies and procedures that are relevant to the collision. Assess the effectiveness of such policies and procedures as applied to the collision and, with the intent of preventing future injury, property loss or liability, make recommendations regarding changes.
7. If it is determined that an employee may have violated any district policies or procedures, the Battalion Chief should recommend that the matter be submitted for the initiation of possible administrative action.

# Policy 309 – Line-of-Duty Death and Serious Injury Investigations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for investigating a serious injury or line-of-duty death, documenting of the events leading to the injury or death and making recommendations directed toward preventing similar occurrences in the future.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to identify the causal factors pertaining to any event involving a serious injury or line-of-duty death, and to document and secure evidence which may be a factor in any regulatory actions or litigation resulting from the event. An investigation into the circumstances of the serious injury or line-of-duty death is separate and distinct from any investigation being conducted regarding the cause of a fire.

The District may utilize external resources to assist or lead the investigation. These resources include:

- The Arizona Department of Transportation (ADOT)
- The Arizona Division of Occupational Safety and Health (ADOSH)
- Local law enforcement
- Area fire department Fire Marshals

In the event an investigation utilizes multiple agencies, the District will establish a Unified Incident Command program to facilitate the needs and activities of the investigation.

## 3. PROCEDURE

As soon as practicable after a serious injury or line-of-duty death has occurred, the Fire Chief or the authorized designee shall assign an investigation team to conduct an investigation into the circumstances of the event.

1. A Battalion Chief designated by the Fire Chief should function as the team leader and direct the investigation of the line-of-duty death or serious injury. The investigation team should report to the team leader, who is responsible for the management of the investigative process.
2. All members of the Superstition Fire & Medical District shall give their full and complete cooperation to the investigation team.
3. ADOSH will conduct an investigation of incidents involving the death of an employee.

4. The Superstition Fire & Medical District should cooperate with all other government agencies that have a legal cause to be involved in the investigation of a line-of-duty death or serious injury and should voluntarily share relevant information with other organizations working in areas of fire service occupational safety and health education and training. Participation by these agencies shall be at their own discretion, depending on the circumstances of the incident. These agencies may or may not produce their own reports of the incident with recommendations for corrective actions. These reports do not supersede the investigation team report.
5. The investigation team report and all related documentation shall be an internal
6. Superstition Fire & Medical District administrative report.
7. Any public release of the report requires the approval of the Fire Chief or the authorized designee. Such release will generally be processed in accordance with the provisions of the Arizona Public Records Law (ARS § 39-121 et seq.).

#### **4. INVESTIGATION TEAM**

The investigation team shall consist, at a minimum, of the following team members:

1. Battalion Chief
2. Fire investigator
3. District Health and Safety Officer
4. Risk manager
5. Employee labor representative

Additional personnel may be added as required by the specific circumstances of the incident, including an investigative representative from the appropriate law enforcement agency when there is reasonable cause to believe a crime may be connected with the investigation.

##### **4.1 DUTIES AND RESPONSIBILITIES**

The duties of the investigation team include, but are not limited to, the following:

1. Gather and analyze all physical evidence related to the incident.
2. Interview all witnesses with direct or indirect knowledge of the circumstances. When interviewing members of the District, represented members shall have the right to have their labor representatives present pursuant to the applicable collective bargaining agreement.
3. Collect and preserve recordings and copies of radio traffic, telephone conversations, photographs, film, videotape, incident histories and other related information. The pertinent aspects of the radio and telephone recordings should be transcribed.
4. Consult with persons having special knowledge of the factors involved in the incident, including private sector experts and consultants.

5. Connect with other agencies involved in the investigation of the incident.
6. Establish and maintain ongoing communication between the team leader and the legal counsel for the District.
7. Develop a written report of the incident, including conclusions and recommendations.
8. Coordinate activities with Planning and Logistics to avoid interference with any criminal investigation.
9. Ensure that a post-mortem examination is conducted on any member who dies as a result of the incident as well as on any other deceased person who may have been contributory to the event.
10. Activate the District or regional Critical Incident Stress Debriefing (CISD) team for any members adversely affected by the incident.

#### 4.2 DOCUMENTATION

The investigation team should ensure that the scene where the line-of-duty death or serious injury occurred is documented, including diagrams, photographs and observations. When feasible, all witness interviews should be recorded or transcribed. When recording or transcription is not feasible, the investigator's notes of the interview should be preserved. In addition, the investigation team should:

1. Obtain, examine and secure all personal protective equipment (PPE), breathing apparatus and equipment used by the seriously injured or deceased employee.
  - a. A complete physical description of the PPE, breathing apparatus and equipment shall be included in the report of the incident.
  - b. A performance evaluation report conducted by a qualified professional on all safety equipment should be included in the report of the incident.
  - c. For specific guidance on PPE involved in the incident, refer to the special incident procedure in the Personal Protective Equipment Policy.
2. Review and comment on the application of policies and procedures to the incident, the observance of policies and procedures and their effect on the situation. Recommend changes, additions or deletions to such policies and procedures.
3. Attempt to obtain any photographs, videotape or other information relating to the incident from news media or other sources. Such evidence should be obtained with the agreement that it will only be used for investigative and educational purposes.

#### 5. FINAL REPORT

The investigation team should present the final report to the Fire Chief. The Fire Chief should determine the schedule and method of presentation of the final report.

# Policy 310 – National Fire Incident Reporting System (NFIRS)

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

The Superstition Fire & Medical District is committed to improving fire reporting and analysis capability both locally and on the national level. Therefore, it is the policy of the Superstition Fire & Medical District to participate in NFIRS and any reporting requirement instituted by the Arizona Office of the State Fire Marshal (OSFM).

## 3. RESPONSIBILITIES

The Administrative Services Assistant Chief/Director should designate an NFIRS coordinator, who should develop and maintain familiarity with NFIRS resources and reporting requirements and ensure district information is compliant with the NFIRS reporting format and that the information is forwarded to the OSFM if required.

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



# Chapter 4: Fire Prevention

# Policy 400 – Fire Inspections

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## 1. PURPOSE AND SCOPE

This policy provides guidance for the enforcement of fire codes through periodic inspection within Superstition Fire & Medical District's jurisdiction. Additionally, this policy establishes the minimum standards for inspection frequencies of all buildings in the district's jurisdiction.

## 2. POLICY

The Superstition Fire & Medical District is committed to improving public safety through the enforcement of building standards relating to fire and public safety as adopted by the Arizona Office of the State Fire Marshal (OSFM) and published in the Fire Code, the Insurance Services Office (ISO), and any other regulations or ordinances that have been formally adopted by the District for the prevention of fire or the protection of life and property against fire (AAC § R4-36-201).

## 3. RESPONSIBILITIES

The Fire Chief or the authorized designee shall develop a periodic inspection program based on the risks to life and property for occupancies within the Superstition Fire & Medical District's jurisdictional boundaries. The inspection program will comply with the Fire Code, ISO, and any local amendments or ordinances specific to the District. The district fire inspection program will be administered by the Planning and Logistics Division and Fire Prevention Department under the responsibility of the Fire Marshal (AAC § R4-36-201).

## 4. INSPECTION PROGRAM GUIDELINES

The Fire Marshal should develop an inspection program based on community risk reduction through education and enforcement. Inspections should be identified by risk, hazard, occupancy, frequency, required state law, and the district's adopted Fire Code.

## 5. HAZARDOUS OCCUPANCIES

Facilities that handle, store or use hazardous materials should be inspected for compliance with applicable provisions of the Fire Code as well as the accuracy of any required hazardous materials facility plan (ARS § 49-127) and Tier II Reporting on an annual basis.

## **6. RIGHT OF ENTRY**

If a building or premise to be inspected is occupied, the inspector shall present credentials to the occupant and request entry. If the building or premise is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premise and request entry.

If no permission to enter is granted, the inspector should work with legal counsel to secure entry in a manner provided by law, such as obtaining an administrative search warrant (ARS § 37-1384).

## **7. INSPECTION FEES**

The District may charge any fire inspection fees adopted by the District Fire Board of Directors. The fee assessed shall not exceed the estimated reasonable cost of providing the service for which the fee is charged (ARS § 37-1382).

### **7.1 RE-INSPECTION FEES**

If a violation is discovered during an inspection, the follow-up inspection to ensure the corrections have been made should be conducted at no cost to the owner or occupant. Should the owner or occupant fail to comply with inspection requirements on the follow-up visit and an additional visit is required, a fee as adopted by the District or fire district may be assessed (ARS § 37-1382).

# Policy 401 – Permits

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for issuing permits that are required by the Fire Code and local ordinances.

## 2. POLICY

In order to provide for the safety of the community, it is the policy of the Superstition Fire & Medical District that permit requirements are appropriately observed and enforced.

## 3. PERMIT PROCESS

A list of permits requiring approval should be available to the public and upon request. The District shall provide adequate guidance to assist the public in obtaining approval for a particular permit (ARS § 37-1382).

An inspection shall be conducted prior to permit issuance.

A permit does not constitute authority to violate, cancel, or set aside any of the provisions of the Fire Code or other applicable regulations.

Three types of permits are utilized by the SFMD:

1. Annual Operations Permit - An inspection shall be conducted and applicable fee(s) collected prior to issuing an Annual Operational Permit.
2. Fire Safety Operational Permit - An inspection fee is required for all Business Inspections, including Self-Inspections. The applicable board approved fee schedule is dependent on the type of occupancy.
3. Specialty & Installation Permit - Prior to the issuance of a Specialty Permit or an Installation Permit, an application must be submitted to the Fire Prevention Department. Following review and approval of a Specialty or Installation Permit application, and the collection of any applicable fee(s), a Specialty or Installation Permit may be issued and will be valid for a specific time frame stated on the permit.

### 3.1 PERMIT APPLICATIONS

Applications for permits should be submitted to the Fire Marshal or the authorized designee and should include adequate documentation of the intent to comply, including, but not limited to:

- A site plan showing the location of storage, use, handling or processes associated with the permit.

- The floor plan approved by the Superstition Fire & Medical District depicting the storage of hazardous materials and the use of equipment or processes, including proof of compliance with all applicable codes and standards.
- A current hazardous materials emergency plan, if applicable.
- A chemical classification inventory, if applicable.

### 3.2 PERMIT FEES

Permit fees shall be collected prior to any issuance of a permit. The fees are established by the District governing body and are applicable to each permit application.

### 3.3 PERMIT ISSUANCE

Approved permits will be issued by the Fire Chief, Fire Marshal, or the Fire Prevention Department. A permit will include:

- Permit number
- Business name
- Address
- Permit type
- Date of issue
- Date of expiration
- Name, address and phone number of the permittee

A permit may be issued for a specific or an indefinite period of time, depending on the circumstances. A permit may be extended upon showing good cause if the permittee applies for an extension in writing before the expiration of the permit. A permit is not transferable. Any change in ownership, operation, occupancy, or use shall require a new permit.

Construction permits shall automatically become invalid upon its expiration date. If the work is suspended or abandoned for a period of 180 days after the time the work is commenced, the permit shall become invalid (AAC § R4-36-303).

All permits shall bear the signature of the Fire Chief, Fire Marshal, or the authorized designee and contain a general description of the operation or occupancy and its location.

#### **4. SITE REQUIREMENTS**

Permits should be posted in a visible location at the permitted premises or in a location approved by the Fire Chief, Fire Marshal, or the authorized designee. Permits are subject to inspection at any time by any firefighter acting in an official capacity (AAC § R4-36-201).

#### **5. SUSPENDED OR REVOKED PERMITS**

Permits may be suspended or revoked any time it is determined that:

- The permit is being used by someone other than the person who was issued the permit.
- The permit is being used at a location other than the permitted location.
- Any condition of the permit has been violated.
- The work being performed is out of compliance with applicable code requirements.
- The permit was obtained by the use of false statements on the application.
- The issuance of the permit was an error or in violation of a regulation, code or law.

#### **6. REQUIRED OPERATIONAL PERMITS**

Permits are generally required for all items, locations and activities as described in the Fire Code.

# Policy 402 – Fire Investigations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure that all fires and explosions responded to by the Superstition Fire & Medical District and occurring within this jurisdiction are investigated and properly documented in accordance with state and federal laws as well as national standards.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to promptly investigate the cause, origin, and circumstances of fires and explosions occurring in this jurisdiction that involve the loss of life or injury to a person, or the destruction of or damage to property.

## 3. RESPONSIBILITIES

The Fire Chief has overall responsibility for fire investigations. The Fire Marshal is responsible for the management of the fire investigations program. The Incident Commander (IC) of each incident is responsible for ensuring that each fire is investigated for origin and cause.

District first responders are responsible for recognizing or attempting to recognize the origin of a fire and preserving evidence for further investigation. The first-in Captain is responsible for conducting a first responder-level investigation for origin, cause, and circumstances. The IC is responsible for determining when the Superstition Fire & Medical District and/or law enforcement investigators are needed to investigate an incident.

When the Superstition Fire & Medical District assumes responsibility for the investigation, fire investigators assigned to an incident are responsible for pursuing the investigation through completion and providing complete written documentation. Arson investigators are responsible for investigating suspected incidents of arson.

## 4. INCIDENT REPORTS

To ensure district incidents are documented in the National Fire Incident Reporting System (NFIRS), investigators should complete and submit a report directly to NFIRS. All areas of the report are to be filled out and when an item is not applicable, N/A is to be placed in the box. For additional information, see the National Fire Incident Reporting System (NFIRS) Policy.

The Fire Marshal is responsible for reviewing and approving the investigative reports.

If the cause of the fire is determined to be suspicious or criminal in nature, the Fire Marshal shall immediately report the results to local law enforcement. If the building in which the fire occurred is under the jurisdiction of the Arizona Office of the State Fire Marshal (OSFM), they shall be notified immediately.

## 5. PROCEDURE

The first-in Captain should conduct a preliminary investigation of every fire to determine the origin, cause and circumstances. If the Captain is unable to make a determination as to the origin and cause of a fire or suspects that a crime has been committed, and the magnitude of the fire would require thorough investigation and documentation, a fire investigator may be requested in accordance with this policy.

The assistance of a fire investigator at an incident does not relieve the Captain of the responsibility to investigate the origin, cause and circumstances of a fire.

1. The immediate response of an investigator shall be requested when any of the following circumstances exist:
  - a. Major or unusual fires that exceed the investigative abilities of a Captain or a Battalion Chief
  - b. Any fire resulting in a major injury or loss of life
  - c. Incidents involving special circumstances, such as an especially high dollar loss, extensive damage, political sensitivity or any other circumstance deemed appropriate by the Battalion Chief
2. The immediate response of an investigator shall be requested, along with a law enforcement investigator or a regional investigation team, when any of the following circumstances exist:
  - a. Arson and/or incendiary devices are involved or the origin of the fire is otherwise suspicious
  - b. Any explosion
  - c. Evidence or suspicion of any crime having occurred in connection with a fire or explosion
  - d. Death resulting from a fire or explosion
  - e. Any fire started by a juvenile
  - f. Any illegal activity that potentially could cause a fire and/or explosion
  - g. Any fire or explosion related to a crime or a suspected crime

## 6. EQUIPMENT

The fire investigator's vehicle should be stocked with the following equipment to help investigate fire cause, origin, and circumstance:

- Digital camera
- Spare batteries
- Voice recording device and spare media
- Fire investigator toolbox
- Shovels, rake, broom, and sifter

- Disposable latex evidence collection gloves
- Evidence collection markers and labels for canisters

## 6.1 USE OF PROTECTIVE GEAR

Fire investigators are responsible for using personal protective equipment (PPE) and respiratory protection appropriate for the conditions present at an investigation scene.

When entering any fire scene during the fire, before or during overhaul, or when there is a chance of reignition, fire investigators shall wear full structural PPE and self-contained breathing apparatus (SCBA).

See the Respiratory Protection Program Policy and the Personal Protective Equipment Policy for additional guidance.

## 6.2 LOGBOOK

Each investigator should maintain a logbook of field training, continued professional training hours, and investigative experience. The purpose of this log is to assist in establishing the member as an expert witness in court appearances.

# 7. FIRE INVESTIGATORS

Fire investigators assigned to an incident are responsible for pursuing the investigation through its completion and providing complete written documentation.

In cases where a fire investigator reasonably believes that arson or an unlawful act may be involved in a fire, the investigator should consult with the Fire Marshal and request the assistance of an investigator with arrest authority, if appropriate.

## 7.1 FIRE INVESTIGATOR QUALIFICATIONS

Fire investigators should:

1. Meet the job performance requirements of the National Fire Protection Association's (NFPA) standards for fire investigators.
2. Complete any necessary certification requirements for fire investigators.
3. Comply with all federal and state statutory and constitutional investigatory requirements, including limitations on searches and seizures.

All Captains are qualified to perform first responder-level origin and cause investigations in addition to the Superstition Fire & Medical District investigators.

# Policy 403 – Code Enforcement

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which the Superstition Fire & Medical District will enforce District fire and life-safety codes during inspections (AAC § R4-36-201).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to use inspections to help reduce the risk of injury or death due to fire and life-safety code related violations, and increase the safety of building occupants, the community and emergency responders.

## 3. PROCEDURE

The Superstition Fire & Medical District may issue correction notices when violations of the Fire Code are found during fire and life-safety inspections.

Any violation determined by an inspector to pose an immediate fire danger or threat to life-safety should be referred to the Fire Marshal as soon as practicable.

### 3.1 INITIAL INSPECTIONS

An initial inspection should be made to determine if any violations exist and identify the code sections violated. A notice of correction should be issued for violations. The written correction notice should describe the conditions deemed to be unsafe, identify the code section violated and, when compliance is not immediate, specify a time for re-inspection, typically to occur within two weeks. This time frame may be adjusted at the inspector's discretion and based on the type of violation.

All inspections, meetings and telephone conversations should be documented and an inspection report completed including names, telephone numbers, dates, violations and any other pertinent information related to the inspection. All documentation should be maintained in an inspection file.

A copy of the inspection report should be left with the responsible party.

### 3.2 RE-INSPECTIONS

Violations that pose an immediate hazard to life or property should be corrected before the inspector leaves the premises (e.g., a required exit being chained or locked).

All other violations should be corrected by the date identified in the correction notice for re-inspection.

Generally, no more than two re-inspections should be conducted before escalating the process as provided in this policy.

### 3.3 TIME EXTENSIONS FOR COMPLIANCE

An inspector may extend the compliance period if reasonable progress is being made toward correcting the violation, or if a plan is established for completion and life and property are not being compromised. Extensions should only be granted when the inspector believes there is a high probability of obtaining complete compliance. The inspector may request the responsible person submit a statement in writing, detailing the reason for the extension and the new compliance date.

If compliance has not been achieved following the second or third re-inspection, the inspection should be referred back to the Fire Prevention Department for disposition.

### 3.4 FINAL NOTICES

A final notice may be used as the last warning notice issued prior to civil or criminal action. A final notice is not required prior to initiating legal action.

A final notice of violation should be provided to the violator by certified mail return receipt requested and should:

- Set a date by which the violator must correct the violation.
- Notify the violator of the date of the final re-inspection to verify code compliance prior to initiating legal action.

# Policy 404 – Alternative Materials and Methods Requests

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for receiving and processing requests for the use of Alternative Materials and Methods (AMM) in accordance with the Fire Code (AAC § R4-36-201).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Alternative materials and methods (AMM) request** - A request from a permit applicant to deviate in some manner from the requirements of the Fire Code, consisting of the applicant and project information; a summary of the issue and the solution being proposed; identification of the specific Fire Code reference and the intent of the code; a description of why the standard requirements are not possible, feasible or desirable; and a detailed description of the alternatives being proposed to mitigate the deficiency or code requirement.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that requests for AMM shall be evaluated by the Fire Marshal or the authorized designee for compliance with the Fire Code.

## 3. PROCEDURE

The following procedures have been established to assist district members in determining whether a proposed AMM is at least equivalent to that prescribed by the Fire Code in quality, strength, effectiveness, fire resistance, durability and safety.

### 3.1 PROJECT INFORMATION

For commercial, multi-family residential and residential tract projects, the applicant shall provide the following written information in addition to the plans necessary to evaluate the project:

1. Relevant project information, including:
  - a. The project name, address, contact person and telephone number.
  - b. The owner's name, address and telephone number.
  - c. Other specific information identifying the project as required (e.g., development permit type, tract, lot number).
2. The Fire Code section or a reference to the specific requirement for which the AMM is requested.

3. The alternative fire protection measures that will be taken as part of the AMM proposal and how they establish equivalency to those prescribed in the code.
4. Any additional information identified by the Superstition Fire & Medical District.

### 3.2 SUBMITTAL PROCESS

1. One copy of the AMM proposal and other supporting information is required to be submitted to the Superstition Fire & Medical District. Applicable fees due, in the amount indicated by the fee schedule currently in effect, should be paid upon submittal of the AMM proposal.
2. AMM requests will be evaluated by the Fire Marshal or the authorized designee. All such requests are evaluated on a case-by-case basis. Approval of an AMM request is based upon several factors, including, but not limited to, the level of equivalency achieved, the effect of the AMM on fire and emergency response and site conditions. All evaluations will be performed in the context of the specific project being reviewed.
3. If the AMM proposal provides an equivalent level of protection, considering all related conditions pertaining to the project, the Fire Marshal or the authorized designee will issue a written response granting approval. Such approval may be conditional upon implementation of additional requirements listed in the AMM approval that were not part of the original AMM proposal. Approval is granted only for the specific project under review and the conditions for approval shall not be construed as applicable to any other project.
4. In the event the AMM proposal does not provide an equivalent level of protection, the request will be denied and a written denial will be issued.
  - a. Should the applicant submit a different AMM request for the same project or choose to revise and resubmit the previously denied request, additional AMM fees will apply.
  - b. To facilitate the evaluation process, the applicant should include any previously denied AMM proposals when submitting a revised AMM request.
5. Upon completion of the evaluation, the written AMM approval or denial and a copy of the applicant's AMM proposal should be made available for pick up at the location specified by the Superstition Fire & Medical District. Should evaluation of the AMM proposal require time and resources beyond the standard time allotted for this activity, additional time and materials fees may be assessed. Any additional fees assessed must be paid when the applicant picks up the AMM approval or denial.
6. The approved AMM proposal and written responses should be copied on the plans prior to plan approval. A copy of the AMM proposal and response should be kept at the project site at all times. This documentation may be required for review by the Fire Marshal or the authorized designee.

# Policy 405 – Community Fire Station Visitation Program

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the methods the District uses to interact with the community, share information about the workings of a fire station and demonstrate the capabilities of various apparatus and equipment through educational activities conducted by the Emergency Services/Operations Division.

## 2. POLICY

The Superstition Fire & Medical District will aggressively promote fire safety and public awareness through a variety of public information and education activities, including a fire station visit program operated by the Emergency Services/Operations Division.

## 3. PROCEDURE

1. The fire station visit program is an educational activity intended to allow school groups, service clubs, youth organizations, church groups and other civic-minded organizations to schedule and participate in a tour of a working fire station. The types of groups and organizations appropriate for inclusion in the fire station visit program include, but are not limited to:
  - a. Pre-school classes or groups (public or private).
  - b. Kindergarten classes or groups (public or private).
  - c. Primary and secondary school groups (public, church-based or private).
  - d. Chaperoned, organized youth groups that generally include persons 17 years of age and under and are sponsored and accompanied by adult representatives of a formal organization (e.g., Girl Scouts, Boy Scouts, Cub Scouts, Brownies).
  - e. Service clubs and organizations that are generally voluntary nonprofit organizations, where members meet regularly to perform charitable work either by direct hands-on efforts or by raising money for other organizations (e.g., Kiwanis, Rotary, Masons).
2. The fire station visit program is not intended, nor should it be used, as an entertainment opportunity or for a commercial or for-profit purpose. The following types of groups, entities and activities are not appropriate for inclusion in the fire station visit program:
  - a. Birthday party groups
  - b. Social networking groups
  - c. Business networking groups
  - d. For-profit tour groups, including profit-based foreign student groups

- e. Any group, entity or activity that is part of a for-profit enterprise

Neither of the lists above is intended to be all-inclusive; rather, they are general representations of the types of groups that are either appropriate or inappropriate for inclusion in the fire station visit program.

Groups or organizations can request a fire station visit by completing and submitting an application on the district website under Community Outreach. The request will then be processed by the Community Risk Reduction Specialist. Applications must be submitted at least 7 days prior to the date requested for the fire station visit. The Community Risk Reduction Specialist will evaluate each application in accordance with this policy. Each evaluation will be considered uniformly and without discrimination as part of the application process. Approved applications will be forwarded to the appropriate Assistant Chief/Director and Battalion Chief for station and crew assignment.

### 3.1 SCHEDULING FIRE STATION VISITS

To limit the impact of fire station visits on other essential activities, each station/shift crew should be limited to conducting one station visit per calendar month. The Battalion Chief may elect to further limit the number of station visits assigned to individual crews based on the operational or training activities of that crew. The Battalion Chief should notify the personnel of the station and crew assigned to conduct each scheduled visit. The Community Risk Reduction Specialist should confirm the appointment for the station visit with the applicant and act as the point of contact for the applicant regarding any questions, issues or changes in the scheduled visit.

### 3.2 ADDITIONAL CONSIDERATIONS

The fire station visit program will operate within the following parameters:

1. Participating group size will generally be limited to 30 persons, including chaperones and drivers. Larger groups may apply but approval of the application will depend on the availability of Emergency Services Operations representative or crew staffing to assist with managing the tour on the day of the visit.
2. Station visits should be scheduled for a maximum of one hour and generally during regular business hours.
3. The crew assigned to manage a station visit should remain in-service and available for emergency calls during the visit. Visiting groups should be notified in advance that the crew may be called away from the station at any time and the visit may then be canceled.
4. In the event that the crew is called away during a visit, station visit participants should not be allowed to remain in the fire station unattended.
5. Station visit participants should not be allowed to enter the private crew sleeping or dressing areas of the station without approval of the Captain.
6. The fire crews managing each station visit should ensure that no confidential information or information protected by the Health Insurance Portability and Accountability Act (HIPAA) is visible

or accessible to the station visit participants. Specific areas of the station may be closed to the visiting groups as needed to protect confidential and/or protected materials.

#### **4. RECORD KEEPING**

The Community Risk Reduction Specialist should maintain a record of all applications for the station visit program. The records should include:

1. The name and contact information for the group or organization applying for a fire station visit.
2. The name of the group leader or person submitting the application.
3. Information regarding the approval or denial of the application. For denied applications, the reason for the denial should be listed (e.g., non-conforming group, scheduling conflict, no crew availability).
4. The scheduled date and time of each approved visit.
5. The Battalion Chief, station and crew assigned to manage the visit.
6. Confirmation that the group or organization completed the station visit or the reason it was not completed.

These records should be retained in accordance with the district's established records retention schedules.

# Policy 406 – Fireworks Displays

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish general guidelines for the use of pyrotechnic devices in public fireworks displays to ensure that minimum life-safety procedures and practices are followed. The policy also outlines the Superstition Fire & Medical District standards for the storage and disposal of illegal fireworks (ARS § 36-1602; ARS § 36-1603; ARS § 36-1609).

## 2. POLICY

Fireworks are energetic materials that are inherently dangerous and should always be handled with caution. Heat, shock and friction may ignite them, and in all cases safety should be the primary concern.

It is the policy of the Superstition Fire & Medical District to observe the Arizona fireworks law and follow the regulations prepared by the local, state or regional authorities governing the use of fireworks in public displays when enforcing permitting requirements, plan review and inspections. The District shall observe the federal regulations governing the storage and disposal of explosives (27 CFR 555.201 et seq.).

## 3. PERMITTING PROCESS

Applications for permits for public fireworks displays shall be made in writing at least five days prior to the proposed display. Applications shall be submitted to the Superstition Fire & Medical District Fire Prevention Department in a timely manner in order to ensure the appropriate allocation of resources and to allow adequate time to address any changes that may be required (ARS § 36-1603).

When applying for a public fireworks display permit, an applicant shall submit information and evidence to the Superstition Fire & Medical District that includes:

1. The name of the organization sponsoring the display, and the names of the qualified pyrotechnic experts as determined by the governing body who are actually in charge of the display (ARS § 36-1602).
2. The date and time the display is to be held.
3. The exact location planned for the display.
4. The size and number of all fireworks to be discharged including the number of set pieces, shells and other items. Shells shall be designated by diameter specifying single, multiple break or salute.
5. The manner and place of storage of all fireworks prior to, during and after the display.
6. A diagram of the grounds on which the display is to be held, showing:
  - a. The point at which the fireworks are to be discharged.
  - b. The location of all buildings, roads and other lines of communication.

- c. The lines behind which the audience will be restrained.
7. The location of all nearby trees, telegraph or telephone lines, or any other overhead obstruction.
8. Proof that satisfactory workers' compensation insurance is carried for all employees (ARS § 23-961).
9. Documentary proof of a satisfactory bond (ARS § 36-1604).
10. The name and resale license number of the wholesaler who supplied all of the items used in the display.

The permittee shall be responsible for compliance with the provisions under which a public fireworks display permit has been granted. A letter is required from the sponsor or pyrotechnic company acknowledging that any additional fees will be billed directly to the sponsor or company. Public displays fired on private property must also include a letter from the current property owner approving the event and holding the Superstition Fire & Medical District, its officers and the District harmless for any damages or liability.

### 3.1 PLANS

A fully dimensioned plot plan shall be included with the application that shows:

The location of the display set-up and the location, including the distance of the firing box from the display.

All access roads, including road width, hydrant locations and ingress and egress points.

All structures located in or near the firing area and a fallout area based upon 100 feet per inch of shell size.

### 3.2 INSPECTIONS

1. All district personnel involved in the inspection of any public fireworks display set-up and firing should inspect for compliance with the following requirements (ARS § 36-1603):
  - a. A minimum of two currently serviced 2.5-gallon pressurized water extinguishers shall be available on the site.
  - b. A water container for duds or misfired shells shall be available on the site.
  - c. Barricades or barriers shall be used to keep unauthorized personnel out of the firing and fallout areas.
  - d. Mortars are to be in good condition, with base plugs in place, no splits or bulges in the tubes or bent or frayed muzzles.
  - e. Operators and assistants located within the fallout area are required to have proper safety gear and protective clothing on during the firing of the display and immediately after the display.

- f. If mortar racks are used, they shall be stable and secure.
  - g. Mortars up to five inches in diameter and buried in earth or placed in troughs or drums shall be spaced three feet apart from the sides of the drum or trough.
  - h. Mortars six inches or larger in diameter and buried in earth or placed in drums and troughs shall be spaced a minimum of five feet apart or from the sides of the drum or trough. When a mortar requiring five feet of space is placed adjacent to a mortar requiring only three feet of spacing, the larger shall apply.
  - i. Electrically-fired shows require that all mortars buried in earth or placed in drums and troughs shall be nominally spaced two feet apart from the sides of the drum or trough.
  - j. No smoking is permitted in firing or display areas.
  - k. During the electrical firing, no one is allowed to enter the firing area of the display.
  - l. Electrically-fired shows require that all technicians shall be positioned a minimum of 100 feet from any mortar and positioned so as to be protected from the direct line of fire.
  - m. A continuity test shall be conducted prior to the test fire.
2. The inspection will include, but is not limited to:
- a. Verification of proper pyrotechnics expert designation from the governing body of all operators and all critical assistants.
  - b. Verification of identification and age of all assistants.
  - c. Inspection and inventory of fireworks shells to be discharged.
  - d. Inspection of racks to determine proper spacing and bracing.
  - e. Inspection of mortars used to fire aerial shells.
  - f. Inspection of ready boxes.
  - g. A test fire utilizing the largest non-salute type shell permitted in the display shall be conducted one hour prior to the display and shall be witnessed by an Superstition Fire & Medical District inspector.
  - h. Inspection of any other components of the display as deemed appropriate by the inspector.

#### **4. STORAGE AND DISPOSAL OF ILLEGAL FIREWORKS**

Any fireworks seized pursuant to state law shall be stored in a manner approved by the Superstition Fire & Medical District Fire Marshal until relinquished to the local state or regional authorities for destruction at the owner's expense (ARS § 36-1607).

The Superstition Fire & Medical District Fire Marshal or the authorized designee shall notify the local, state or regional authorities not more than three days after the date of seizure of any fireworks and shall state

the reason for the seizure and the quantity, type and location of the fireworks. Seized fireworks shall be held in trust for the appropriate authority and shall be disposed of by the as soon as practicable.

1. Routine seizures (quantities that are temporarily manageable):
  - a. Inventory, randomly sample and photograph the seized fireworks.
  - b. Complete any forms required by the appropriate authority and forward as the form instructs.
  - c. If the fireworks are in the original U.S. Department of Transportation (DOT) shipping cartons, do not remove.
  - d. Loose fireworks must be placed in good quality cardboard boxes, such as banker boxes, the boxes that photocopy paper comes in or similarly sized moving boxes. The boxes must have functional lids.
  - e. The boxes must be labeled with the following information: type of fireworks, seizing agency's name, person responsible for the sorting and the date.
  - f. The following items should not be included:
    - i. Improvised Explosive Devices (IED) and explosives (a bomb squad should handle these)
    - ii. Trash (including expended fireworks, lighters and matches)
    - iii. Any evidence or contraband that is not related to fireworks (e.g., weapons, drugs, paraphernalia)
    - iv. Friction-initiated fireworks (e.g., Snap Caps) should be packaged separately from any other items
2. Seizures that require immediate assistance (quantities that exceed the capability of the Superstition Fire & Medical District to manage):
  - a. Contact the appropriate agency investigator, who will assist with arranging for temporary storage.
  - b. Inventory, randomly sample and photograph the seized fireworks.
  - c. Complete the necessary report and forward it to the appropriate authority.
  - d. If the fireworks are in the original U.S. DOT shipping cartons, do not remove them.

The Superstition Fire & Medical District will remain as the lead agency responsible for prosecuting any case involving fireworks seized by the District or may receive assistance from local law enforcement.

# Policy 407 – Hazardous Materials Disclosures

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for the receipt of dangerous or hazardous material submittals in compliance with local, state and federal requirements and for the inspection of the facilities that handle hazardous materials (42 USC § 11001 et seq.; ARS § 49-121 et seq.).

## 2. POLICY

The Superstition Fire & Medical District will work in coordination with the Local Emergency Planning Committee (LEPC) and the Arizona Department of Environmental Quality (ADEQ) regarding the receipt of dangerous or hazardous material submittals and necessary inspections.

## 3. SUBMITTALS

Facilities treating, storing or disposing of dangerous or extremely hazardous substances in quantities regulated by federal and state law are required to submit notification forms and annual reports to the District.

Facilities required to prepare or have available a Safety Data Sheet (SDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 (29 USC § 651 et seq.) and regulations promulgated under that Act are also required to submit an SDS and hazardous chemical inventory forms (42 USC § 11001 et seq.; ARS § 49-121 et seq.).

## 4. INSPECTIONS

The District should conduct field inspections of facilities that are subject to the requirements of this policy at least once every three years. Any deficiencies noted during field inspections should be documented and the facility advised to make the necessary corrections. Any deficiencies noted should be reported to the LEPC and ADEQ.

Where appropriate, the District will enforce any applicable laws and suggest preventive measures designed to minimize the risk of the release of hazardous material into the workplace or environment.

## 5. PUBLIC RECORDS

Generally, submissions received by the District are considered public records. Some information is subject to trade secret protection pursuant to state or federal law (40 CFR 350.5; ARS § 49-129).

Requests to inspect submissions shall be processed in accordance with the Release of Records Policy.

# Policy 408 – Maximum Occupancy – Overcrowding

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish standards for abating overcrowded conditions in places of assembly. This policy shall apply to all assembly occupancies and other occupancies which may be subject to overcrowding (AAC § R4-36-201).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to protect the safety of the public through enforcement of the Fire Code regarding occupancy overcrowding.

## 3. ENFORCEMENT

Any member of the District, upon finding overcrowded conditions beyond the approved capacity of a building or portion thereof, or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life-safety hazard, is authorized to order the dangerous condition removed or remedied. The investigating officer shall immediately notify the Fire Marshal any time the decision is made to vacate an occupancy. Whenever practicable, the investigating officer should consult the Fire Marshal prior to requiring that an occupancy be vacated.

### 3.1 COMPLAINTS RECEIVED DURING NORMAL BUSINESS HOURS

All routine complaints of overcrowded conditions shall be forwarded to the Planning and Logistics Division for investigation and follow-up. The complaint shall be entered into the complaint management system as soon as practicable and shall be assigned to an available inspector or Company Officer. The inspector should promptly investigate the complaint and notify the appropriate supervisor of the findings. All findings shall be documented and forwarded to the on-duty Battalion Chief, the Emergency Services Operations Assistant Chief, and the Fire Marshal. All overcrowding hazards should be mitigated as necessary, in accordance with this policy.

### 3.2 COMPLAINTS RECEIVED AFTER HOURS

All complaints of overcrowding received by the Dispatch Center after hours shall be routed to the appropriate on-duty Battalion Chief. Depending upon the urgency of the complaint, the Battalion Chief may choose to take any of the following actions, as deemed necessary to investigate the complaint:

1. Investigate the complaint and abate the hazard as necessary, in accordance with this policy.
2. Dispatch an engine company to investigate the complaint and abate the hazard as necessary, in accordance with this policy.

3. Call for assistance from the Fire Marshal, who should investigate the complaint and abate the hazard as necessary, in accordance with this policy.
4. Call for local law enforcement support.

### 3.3 FIRST DOCUMENTED OVERCROWDING OFFENSE

Routine overcrowding complaints that do not pose an immediate life-safety hazard should be investigated and abated as necessary, in accordance with established procedures. A warning letter should be issued to the business owner advising that any future overcrowding cases may result in a criminal citation being issued.

### 3.4 SECOND DOCUMENTED OVERCROWDING OFFENSE

The second and all subsequent documented cases of overcrowding should result in a criminal citation being issued, in accordance with Superstition Fire & Medical District procedures, adopted Fire Code, and local law enforcement agency.

# Policy 409 – Youth Firesetter Referrals

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide district personnel with resources for helping youth firesetters and their families receive the help they need through education, diversion, assessment and psychological services, in cooperation with local nonprofit organizations.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to participate in a coordinated effort with local nonprofit organizations to provide appropriate referral or treatment services to juveniles from this jurisdiction.

## 3. PROCEDURE

Entry into a youth firesetter program may be recommended for children 4-12 years of age by district personnel following a request from parents, guardians or caregivers, or as a result of a fire incident. Children between the ages of 12 and 18 may be referred to other programs such as those provided by the City of Mesa Fire & Medical Department or City of Phoenix Fire Department.

There are multiple types of referrals:

### 3.1 CAREGIVER REFERRALS

Parents or guardians who contact the Superstition Fire & Medical District for assistance will be directed to a member trained in youth firesetter intervention. When possible, telephone contact should be made with the parents within 48 hours of the District being contacted. Fire district personnel will acquire the parent/guardian names and contact information. This information is to be forwarded to the district's Community Risk Reduction Specialist by email and/or by phone at (480) 416-9775 who will contact the parents/guardians and schedule an appointment.

### 3.2 WALK-IN REFERRALS

If someone comes to a fire station with a child who may be involved with firesetting, that person should be referred to the district's Community Risk Reduction Specialist. Fire district personnel will be forwarded to the district's Community Risk Reduction Specialist by email and/or by phone at (480) 416-9775 who will contact the parents/guardians and schedule an appointment.

### 3.3 FIRE DEPARTMENT REFERRALS

If a youth firesetter is identified at a fire scene, the Incident Commander (IC) should complete a youth firesetter referral form. The form should be forwarded to the district's Community Risk Reduction Specialist. The IC should be contacted by the Community Risk Reduction Specialist confirming the receipt of the referral form and advising what action is being taken with the juvenile and his/her family.

If evidence at a fire scene indicates a juvenile started the fire, the IC must **contact law enforcement** and report this involvement in a fire incident report. The report should indicate that:

- The person involved in the ignition of the fire was a child or a person under the age of 18.
- The fire was a result of a child experimenting with fire or arson.
- The information known about the juvenile (e.g., name, age, sex, address).
- The parent or guardian information, if known.

A copy of the report should be sent to the Community Risk Reduction Specialist.

The IC should call a fire investigator any time there is evidence of arson, when there are witnesses with information that could identify the youth firesetter or when the suspect is still at the scene.

A youth who has been referred to the District by the juvenile justice court will be assigned to a member of the Community Risk Reduction Specialist. If the youth fails to attend any mandated program sessions, the Community Risk Reduction Specialist should notify the court or the youth's probation officer. If the youth successfully attends all required sessions and completes the program, the Community Risk Reduction Specialist member should send a program completion letter on district letterhead to the juvenile's probation officer.

## 4. PROGRAM COMPONENTS

The following components should be included in any youth firesetter program. Depending on the individual situation, some of the steps may not apply.

**Assessment** - The first step is generally a family interview including a Federal Emergency Management Agency (FEMA) assessment at a location designated by the Superstition Fire & Medical District. Assessments may be conducted at the child's home or living environment of the child and family members are encouraged to attend.

**Diversion** - Diversion is a process that allows the child to complete all or some of the program after which a citation can be dismissed or not processed. A parent or legal guardian and the child must attend a diversion hearing, where the child will be asked to describe behaviors and to answer questions to assess whether the child is at risk of repeating his/her offense. The child's parents or legal guardians and the child may be asked to sign a contract that requires specific actions to qualify the child for continued participation in the firesetter program. When the child successfully completes the program the District will process a request to dismiss the citation.

**Educational intervention** - In this step families attend a fire safety session. It is recommended that all family members attend. Sessions may be conducted several times throughout the year and child/family placement is subject to availability. Sessions should be broken into age-appropriate classes for the juveniles. Informational training seminars should be included for parents and guardians.

**Counseling** - The District may recommend family counseling. If a child and family have been referred to counseling, it is strongly recommended that the counseling occur concurrently with academy attendance. A list of local organizations and resources should be provided to the family.

**Behavioral update** - After completing the academy and/or counseling, a representative from the firesetter program may follow up with adults in the child's home to discuss the child's behavior and review any progress.

The Community Risk Reduction Specialist should produce regular reports specific to youth firesetters and outcomes. Reports should be included in district training programs as part of awareness and disposition outcomes.

# Policy 410 – Fire Watch Services

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidance for the District regarding incidents or situations which may require a fire watch in buildings under the jurisdiction of the Superstition Fire & Medical District due to required automatic fire protection and/or detection services that are inoperable, construction/demolition activities, hot work or other high-risk activities or events which may have an adverse impact on public safety.

Any fire watch in lieu of an operational fire protection system in any state or county facility, public school or private school not located in a city with a population of 100,000 or more shall be approved by the Arizona State Fire Marshal's Office (OSFM ) (ARS § 37-1383).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Fire guard** - A person who is properly trained and whose sole duty is to patrol the premises and watch for fire. This person should be equipped with an approved means of contacting the District in the event of a fire. Several fire guards might comprise a single fire watch.

**Fire watch** - A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the Superstition Fire & Medical District. Fire watch may be conducted by district personnel, but it is the responsibility of the building owner.

**High life-risk occupancy** - Hospitals, care facilities, schools, high-rise buildings and certain assembly occupancies.

**Hot work** - Operations including cutting, welding, Thermit welding, brazing, soldering, grinding, thermal spraying, thawing pipe, installation of torch-applied roof systems or any other similar activity.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that the District will, where required, ensure appropriate measures are taken to protect building occupants, spectators or other attendees of certain events in accordance with the Fire Code.

### 3. RESPONSIBILITIES

Upon notification that hot work activities are being performed or that required automatic fire protection or detection systems are inoperable and the building or occupancy has not been evacuated, the Fire Marshal or the authorized designee shall ensure that a fire watch is implemented.

During special events or other activities, the Fire Marshal or the authorized designee should make a determination whether the location, premises, building or event has a high life-risk occupancy and, if so, require or implement a fire watch. If the location does not have a high life-risk occupancy, the Fire Marshal or the authorized designee shall evaluate each set of unique circumstances and make a determination whether the property owner or event manager shall implement a fire watch.

The following responsibilities apply for a fire watch:

1. The owner or the authorized designee shall immediately notify the Superstition Fire & Medical District any time an automatic fire protection or detection system is not in operation.
2. Any repair or corrective action should be immediately initiated by the owner or the authorized designee. After repair or corrective action is completed and the system is back in service, the Superstition Fire & Medical District and occupants should again be notified by the owner or the authorized designee.
3. A fire watch should be provided when the system cannot be repaired in a timely manner (more than 24 hours) and/or the lack of protection creates a building or safety hazard as determined by the Fire Marshal or the authorized designee. A fire watch shall be established immediately, when required fire protection, detection and alarm systems are not in operation in high life-risk occupancies, such as hospitals, care facilities, schools, high-rise buildings and certain assembly occupancies.
4. Personnel used to conduct the fire watch are subject to the approval of the Superstition Fire & Medical District. The person performing fire watch duties shall have at least one means of direct communication with the Mesa Regional Dispatch Center at (480) 644-2600 and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.
5. Building occupants must be notified within 24 hours of a fire watch being established. (f) The minimum level of fire watch service shall be one fire guard per floor in multi-story buildings and one fire guard for each fire protection system zone in a single-story building. Additional fire guards may be needed, depending on the hazard and building design. The fire watch service will continue until the automatic fire protection or detection system is placed back in service.
6. During the fire watch patrols, the fire guards shall make a thorough inspection of all buildings or spaces including concealed areas, such as attics, unoccupied storage areas, etc.



# **Chapter 5: Emergency Medical Services**

# Policy 500 – Patient Care Reports

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for documentation of patient responses, and the related document distribution, storage and disclosure (ACC § R9-25-201).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Advanced life support base hospital (base hospital)** - A health care institution that offers general medical and surgical services, that is certified by the director as an advanced life support base hospital and that is affiliated by written agreement with a licensed ambulance service, municipal rescue service, fire department, fire district or health services district for medical direction, evaluation and control of Emergency Medical Technicians (EMTs) (ARS § 36-2201).

**Emergency medical patient (patient)** - A person who is suffering from a condition that requires immediate medical care or hospitalization, or both, in order to preserve the person's health, life or limb (ARS § 41-1831).

**Emergency Medical Services (EMS)** - Services required following an accident or an emergency medical situation (ARS § 36-2201):

- For on-site emergency medical care.
- For the transportation of the sick or injured by a licensed ground or air ambulance.
- In the use of emergency communications media.
- In the use of emergency receiving facilities.

**Emergency receiving facility** - A licensed health care institution that offers EMS, is staffed 24 hours a day and has a physician on call (ARS § 36-2201).

**Patient refusing medical care against medical advice (AMA)** - A competent patient who is determined by an EMT, an emergency receiving facility or a base hospital to have a medical problem that requires the immediate treatment and/or transportation capabilities of the EMS system, but who declines medical care despite being advised of his/her condition and the risks and possible complications of refusing medical care.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to follow the patient documentation and distribution guidelines developed by the local or regional EMS coordinating systems, the administrative

medical director, the Arizona Bureau of Emergency Medical Services & Trauma System (BEMSTS) Pre-Hospital Information & EMS Registry System (AZ-PIERS) and Arizona law.

### **3. PROCEDURE**

A Patient Care Report (PCR) shall be completed for every patient response. This includes a patient who is released at the scene, meets the criteria for pronouncing death in the field, is an inter-facility transport or is involved in a multi-casualty incident.

A PCR and a patient release form must be completed for all patients who refuse evaluation, treatment and/or transport.

Contact with persons who do not meet the criteria required for the definition of a patient should be recorded in the district's incident reporting system to document that assistance was offered and declined. The district's reporting requirements concerning personal identification information, including a person's name, age, date of birth and sex, should be followed.

The PCR should be completed as soon as possible after providing patient care. A brief written or electronic report must be given to the emergency receiving facility after the patient arrives and a completed PCR must be provided as required by the administrative medical director and Arizona law (ACC § R9-25-201).

An EMS evaluation, performed minimally by a qualified district member, may or may not be required for non-medical requests for assistance, such as "service calls" or "back-to-bed" requests. A PCR shall be completed for any person meeting the patient criteria.

For continuous quality improvement, the local or regional EMS coordinating systems, district EMS supervisors, the administrative medical director, and the designated emergency receiving facility and any involved base hospital shall review their copies of the PCR and discuss any areas of concern.

### **4. DISTRIBUTION OF PCR COPIES**

1. If a patient is transported to an emergency receiving facility, copies should be distributed as follows:
  - a. Record retained by the District
  - b. Record made available for the emergency receiving facility
2. If a patient is not transported or refuses care and leaves against medical advice (AMA), copies should be distributed as follows:
  - a. Record retained by the District
3. If a patient is declared dead and is not transported, copies should be distributed as follows:
  - a. Copy retained by the District
  - b. Copy sent to the assigned base hospital Medical Director

## **5. OPIOID OVERDOSE REPORTING**

Any member who responds to a call where opioid overdose is suspected shall obtain the required information for reporting to the Arizona Department of Health Services (DHS) (AAC § R9-4-602).

The Custodian of Records should ensure that the required information for suspected opioid overdose is submitted to DHS within five business days of the call (AAC § R9-4-602).

# Policy 501 – Pre-Hospital Medical Care Directives

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## 1. PURPOSE AND SCOPE

This policy identifies the circumstances and types of documents required for district Emergency Medical Services (EMS) members to withhold or withdraw resuscitative or life-sustaining measures based on Arizona law (ARS § 36-3251).

Nothing in this policy should be interpreted to limit EMS members from relieving an airway obstruction.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Agent** - A person designated in a written power of attorney for health care to make health care decisions (ARS § 36-3201).

**Do Not Resuscitate (DNR) Bracelet** - A medic alert bracelet worn on the wrist or ankle that states "Do Not Resuscitate" and is printed on an orange background (ARS § 36-3251).

**Palliative care** - The total care of patients who are not responsive to curative treatment, designed to achieve the highest quality of life possible.

**Pre-Hospital Medical Care Directive (or Do Not Resuscitate (DNR))** - A document executed and used to give health care instructions, including directions to withhold or withdraw life- sustaining measures and CPR. A valid Pre-Hospital Medical Care Directive (PMCD) must contain the date of its execution, signature of the patient or of an agent in the patient's name, and be acknowledged by a licensed health care provider. PMCDs may be either letter or wallet size and shall be printed on an orange background (ARS § 36-3251).

PMCDs are commonly referred to as Do Not Resuscitate (DNR) requests.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that EMS members honor DNR requests to withhold or withdraw resuscitative measures.

# Policy 502 – Controlled Substance Accountability

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures for the supply, use, and accountability of controlled substances administered by the Superstition Fire & Medical District (21 CFR 1300.01 et seq.).

### 1.1 DEFINITIONS

Definitions related to this policy include:

Controlled substance - A drug, substance, or immediate precursor listed in any schedule of the federal Controlled Substances Act, including any substance added or rescheduled by the Arizona State Board of Pharmacy.

Unit - Any ambulance, transport unit or first response engine or truck company.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to ensure the availability of the proper medications for emergencies and to comply with all applicable local, state, and federal regulations governing the supply, use, and accountability of all controlled substances (21 CFR 1300.01 et seq.; Title 21 USC Controlled Substances Act).

## 3. STORAGE AND INVENTORY

To prevent the unauthorized access of controlled substances during an incident, the controlled substances must either be in direct possession of a paramedic or locked in a secured area.

The Emergency Medical Services (EMS) supervisor will determine the locking mechanism to be utilized on vehicles that contain controlled substances. Controlled substances should be secured in the locked mechanism any time the unit is parked and unattended.

All personnel authorized to handle controlled substances shall follow this procedure unless prior written permission to deviate is obtained from the EMS supervisor or the authorized designee:

1. All controlled substances are to be secured by district members in the designated locking mechanism provided by the District.
2. At each shift change, an incoming and outgoing paramedic shall, in each other's presence, inspect the quantities, the integrity of the containers, and the expiration dates of the controlled substance inventories. Each paramedic shall attest to the quantity available by completing the electronic controlled substance daily report. At no time shall an individual enter a name or signature on behalf of another person.

3. If the inventory of any controlled substance results in a discrepancy, the paramedics must immediately attempt to reconcile the amount missing. If the discrepancy cannot be reconciled, immediate notification shall be made to the Captain, the Battalion Chief, and the EMS supervisor. The EMS supervisor shall be responsible for the completion and submission of the online Drug Enforcement Administration (DEA) Form 106, Report of Theft or Loss of Controlled Substances (21 CFR 1301.76).
4. If the unit is dispatched to an incident before the daily inventory occurs, the inventory and reconciliation shall be done as soon as practicable upon returning to the station. If the outgoing paramedics have already left the station, one on-duty paramedic and the Captain from the on-duty shift may conduct the inventory and reconciliation process.
5. In the event that a paramedic works two consecutive shifts on the same unit, the inventory shall be performed by the paramedic and witnessed and verified by another paramedic assigned to the station, a Captain or an on-duty shift member.
6. An electronic controlled substance daily report and a controlled substance disposition and restock record shall be maintained for all units in the district's designated electronic records management system. These documents shall be available for random inspection and review by the EMS Coordinator and local, state, or federal regulatory representatives to ensure compliance.
7. When a controlled substance daily report is completed on the last day of the month, the Captains from each shift shall review the report for completeness and sign the bottom of the record. After review, the Captain shall forward a copy of the report, along with a copy of the corresponding controlled substance disposition and restock record, to the EMS supervisor as soon as practicable.

### 3.1 STANDARD CONTROLLED SUBSTANCE INVENTORY

1. The standard complement of controlled substances shall be established by the EMS supervisor or the authorized designee.
2. Any modification to the standard complement of controlled substances shall be justified and approved by the EMS Coordinator or the authorized designee.
3. The supply of controlled substances will be obtained from the district's base hospital pharmacy or other authorized source.
4. When a controlled substance is received, the paramedic receiving the drug must immediately secure the drug into the locked mechanism on the unit.

## 4. CONTROLLED SUBSTANCE ADMINISTRATION AND DOCUMENTATION

1. Only paramedics shall administer controlled substances. Each time a controlled substance is administered to a patient, the drug, dose, and administration route shall be documented on the ePCR in compliance with the Arizona Bureau of Emergency Medical Services & Trauma System guidelines. In addition, the following information shall be recorded on the controlled substance disposition and restock record:

- a. Date/time of administration
  - b. Incident number associated with the event
  - c. PCR number
  - d. Patient's full first and last name (when known)
  - e. Drug and dose administered
  - f. Printed first and last name and signature of paramedic who administered the controlled substance
2. If the entire amount of a controlled substance is not administered by the transporting paramedic, a licensed staff member for the hospital that received the patient shall witness the proper disposal of the remaining amount. The hospital staff member's signature must be obtained on the controlled substance waste form. If waste of a controlled substance occurs at the incident, another paramedic or captain must witness the waste and sign the record.

#### 4.1 TRANSFER PROTOCOLS INVOLVING CONTROLLED SUBSTANCES

If the first unit on scene administers a controlled substance to a patient, it is expected that that unit will continue patient care to the hospital.

### 5. CONTROLLED SUBSTANCE SUPPLY AND RESUPPLY

1. The EMS Coordinator shall submit a completed DEA Form 222 to the designated district supplier to order controlled substances in order to maintain established levels.
2. Upon receipt of the controlled substance from the supplier, the EMS Coordinator or the designated paramedic shall inventory the controlled substance received to ensure that the type and quantities ordered match the type and quantities received and are reflected on the corresponding DEA Form 222 (21 CFR 1305.12; 21 CFR 1305.13).
3. The EMS Coordinator or the designated paramedic will immediately place the controlled substance in the locked mechanism and ensure that inventory is reconciled with any electronic data files.
4. Any inventory or reconciliation discrepancies shall immediately be brought to the attention of the Battalion Chief and a DEA Form 106, Report of Theft or Loss of Controlled Substances, shall be completed and submitted, if required (21 CFR 1301.76).

#### 5.1 UNIT RESUPPLY

Resupply from a non-district unit is not authorized. If the care of a patient is transferred to a non-district unit, the administering paramedic will continue the patient care to the hospital or transfer to an air ambulance company. Restock will be obtained from the base hospital.

## **6. ACCOUNTABILITY**

The EMS Coordinator should:

1. Review the controlled substance daily reports and the controlled substance disposition and restock records monthly for completeness, compliance with established procedure, consistency with the data entered, and any other issues that may require follow-up or investigation.
2. Randomly inspect controlled substance daily reports and the controlled substance disposition and restock records on units for completeness, compliance with established procedure, consistency with the data entered, and any other issues that may require follow-up or investigation.
3. Ensure copies of controlled substance daily reports and the controlled substance disposition and restock records are maintained as provided in the records retention schedule and for a minimum period of two years (21 CFR 1304.04).
4. Ensure the Custodian of Records is provided enough information for applicable state reporting requirements.
5. Notify the responsible Battalion Chief of any item that deviates from this policy.

### **6.1 STATE REPORTING**

The Custodian of Records shall ensure that any incidents responded to by the District that are subject to applicable state reporting requirements are reported appropriately.



# Chapter 6: Training

# Policy 600 – Fire Apparatus Driver/Operator Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to enhance the safety of members and the public by ensuring that all Superstition Fire & Medical District members, including tiller operators, who operate authorized emergency vehicles as part of their duties, receive appropriate training.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Authorized emergency vehicle** - Any of the following vehicles (ARS § 28-101(4)):

1. A fire department vehicle
2. A police vehicle
3. An ambulance or emergency vehicle of a municipal department or public service corporation that is designated or authorized by the District or a local authority
4. Any other ambulance, fire truck or rescue vehicle that is authorized by the District in its sole discretion and that meets liability insurance requirements prescribed by the District

**Tiller operator** - The driver of the rear free-axle portion of a ladder truck.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members who operate firefighting apparatus, including tiller operators, shall successfully complete driver training that meets or exceeds the requirements of National Fire Protection Association (NFPA) 1002 or a recognized driver/operator training program.

Training should include written, oral and practical evaluations to demonstrate proficiency. The Training Officer shall annually audit and update driver/operator training materials to ensure compliance with local, state and federal requirements.

## 3. PROCEDURES

All members who operate firefighting apparatus, including tiller operators, should have certification and training validating competent operational and driving skills consistent with NFPA 1002 or the International Fire Service Accreditation Congress (IFSAC) driver/operator certification standards.

#### **4. TRAINING OFFICER RESPONSIBILITIES**

It shall be the responsibility of the Training Officer to ensure that any member required to drive fire apparatus as a part of his/her normal duties has received all training required for competent, safe operation of the apparatus. The Training Officer shall coordinate with the district member appointed to monitor driver license status to ensure members have valid driver licenses, in accordance with the Driver License Requirements Policy.

# Policy 601 – CPR and Automated External Defibrillator Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the training requirements for members to maintain the current and valid certificate that is required to perform CPR and to utilize an Automated External Defibrillator (AED).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Automated External Defibrillator (AED)** - An external defibrillator capable of cardiac rhythm analysis and that will charge, with or without further operator action, and deliver a shock after electronically detecting and assessing ventricular fibrillation or rapid ventricular tachycardia (ARS § 36-2261).

**Qualified instructor** - An individual who is qualified to teach AED/CPR techniques for adults, pediatric patients, and infants consistent with the American Heart Association recommendations.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members whose duties include the use of an AED or the performance of CPR shall receive initial and recertification training to maintain the current and valid certificate that is required to utilize such equipment and/or skills. Initial training and recertification will consist of courses consistent with the American Heart Association recommendations and will be provided by qualified instructors at the health care provider level.

## 3. REQUIREMENTS

CPR and AED training should include:

- Proper use, maintenance and periodic inspection of the AED.
- The importance of CPR, defibrillation, Advanced Life Support (ALS), adequate airway care and internal emergency response system, if applicable.
- Assessment of an unconscious patient to include evaluation of the airway, breathing and circulation to determine cardiac arrest.
- The administration of CPR, obstructed airway and other health care provider CPR curriculum skills.
- Information relating to AED safety precautions to enable the administration of a shock without jeopardizing the safety of the patient, rescuers or other nearby persons.

- Recognition that an electrical shock has been delivered to the patient and that the defibrillator is no longer charged.
- Rapid, accurate assessment of the patient's post-shock status.
- The appropriate continuation of care following a successful defibrillation.

In order to be authorized to perform CPR and utilize the defibrillator, an individual shall pass a written and skills examination with a pre-established standard. The skills test measures the ability to evaluate and manage the conditions listed above.

#### **4. TRAINING RECORDS**

The Training Officer shall be responsible for maintaining records of all CPR and AED training provided to members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of the persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

#### **5. REPORTING**

The EMS supervisor shall be responsible for collecting and recording AED use data from district- approved Patient Care Reports (PCRs). Those PCRs shall be maintained as required by the administrative medical director and shall be available for inspection by the Bureau of Emergency Medical Services & Trauma Systems (AZ BEMS). It will be necessary to establish procedures for the collection, maintenance and evaluation of patient medical records in order to report annually to the AZ BEMS on the total number of patients defibrillated and appropriate patient follow-up data, as required.

# Policy 602 – Communicable Disease Training Program

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a training program to ensure members have the skills and knowledge to protect themselves against communicable diseases.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to make members' health and safety a priority by providing initial and recurring communicable disease training.

## 3. TRAINING REQUIREMENTS

The Health and Safety Officer, working with the Training Officer, shall be responsible for:

1. Developing and implementing a training program on the Communicable Diseases Policy and an exposure control plan.
2. Remaining current on all legal requirements concerning communicable disease training mandates and reasonable training goals.
3. Maintaining an up-to-date list of personnel requiring training.
4. Maintaining class rosters and quizzes and periodically reviewing and updating the training program.
5. Ensuring that the training mandates set forth in 29 CFR 1910.1030 are included in the training program and are met by all members (AAC § R20-5-602).

## 4. MEMBER TRAINING

Any member whose duties place him/her at risk for exposure to communicable disease shall receive district-provided, no-cost training during working hours.

## 5. TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all communicable disease training provided to members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.

4. The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

# Policy 603 – Emergency Action Plan and Fire Prevention Plan Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish training in support of the Superstition Fire & Medical District Emergency Action Plan (EAP) and Fire Prevention Plan (FPP) in a manner consistent with state regulations for all Superstition Fire & Medical District facilities (29 CFR 1910.38(e); 29 CFR 1910.39(d); AAC § R20-5-602).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide training to all members regarding the EAP and FPP.

## 3. TRAINING OFFICER RESPONSIBILITIES

The Training Officer shall be responsible for developing and scheduling the district's EAP and FPP training. The Training Officer shall maintain records of all EAP and FPP training provided to members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

# Policy 604 – Hazard Communication Program Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the required training regarding the district's hazard communication program. This policy identifies who must receive training, training content requirements, when additional or supplemental training is required and what record keeping is necessary to comply with state law (29 CFR 1910.1200; AAC § R20-5-602).

### 1.1 DEFINITIONS

Definitions related to this policy include (29 CFR 1910.1200; AAC § R20-5-602):

**Hazardous chemical** - Any chemical that is classified as a physical hazard, health hazard, simple asphyxiant, combustible dust, pyrophoric gas or hazard not otherwise classified.

**Health hazard** - A chemical that is classified as posing one of the following hazardous effects: acute toxicity (any route of exposure), skin corrosion or irritation, serious eye damage or eye irritation, respiratory or skin sensitization, germ cell mutagenicity, carcinogenicity, reproductive toxicity, specific target organ toxicity (single or repeated exposure), or aspiration hazard.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District, in accordance with the Hazard Communication Policy, to provide members with effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced.

## 3. TRAINING REQUIREMENTS

The initial hazard communication program training shall include, but is not limited to, the following topics (29 CFR 1910.1200; AAC § R20-5-602):

1. Members shall be informed of any operations in their work area where hazardous chemicals are present.
2. Members shall be informed of the location and availability of information regarding any hazardous chemicals and Safety Data Sheets (SDS), as required by the state.
3. Members shall be trained in the methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.
4. Members shall be trained in the physical and health hazards of the chemicals in the work area and the measures they can take to protect themselves, including specific procedures the District has

implemented to protect them from exposure to hazardous chemicals. These include appropriate work practices, emergency procedures and personal protective equipment (PPE).

5. Members shall be provided with an explanation of the labeling system and the SDS, and how they can obtain and use the appropriate hazard information.

# Policy 605 – Hazardous Materials (HAZMAT) Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish training that will meet state requirements regarding the Superstition Fire & Medical District Hazardous Materials (HAZMAT) response program. This policy identifies the level of training members must receive, when additional or supplemental training is required and the training records required to meet the requirements of 29 CFR 1910.120 (AAC § R20-5-602).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that any member whose duties include a role in the HAZMAT response program shall receive training to the level at which they are expected to operate in a HAZMAT environment or at an incident involving hazardous materials.

## 3. TRAINING REQUIREMENTS

HAZMAT training shall be based on the duties and functions to be performed by each member. This includes training specific to the Incident Commander (IC), awareness or operations level, and HAZMAT technician or specialist (29 CFR 1910.120(q)(6); AAC § R20-5-602).

Competencies required for all new members shall be conveyed to them through training before participating on an incident. Any member who participates or is expected to participate in an emergency response involving HAZMAT shall objectively demonstrate competency in the following areas.

### 3.1 FIRST RESPONDER AWARENESS

First responder awareness level training should be provided to all individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. A member with this level of training should demonstrate competency in the understanding and recognition of a hazardous substance release (29 CFR 1910.120(q)(6); AAC § R20-5-602).

### 3.2 HAZMAT FIRST RESPONDER OPERATIONS (FRO)

First responder operations (FRO) level training should be provided for individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property or the environment from the effects of the release. A member with this level of training is trained to respond in a defensive fashion without actually trying to stop the release. This member's function is to contain the release from a safe distance, keep it from spreading and prevent exposures (29 CFR 1910.120(q)(6); AAC § R20-5-602).

### 3.3 HAZMAT TECHNICIAN

HAZMAT technician level training should be provided to all individuals who respond to releases or potential releases of hazardous substances for the purpose of stopping the release. A member with this level of training would assume a more aggressive role by approaching the point of release in order to plug, patch or otherwise stop the release of a hazardous substance (29 CFR 1910.120(q)(6); AAC § R20-5-602).

### 3.4 HAZMAT SPECIALIST

HAZMAT specialist level training should be provided to all individuals who respond with, and provide support to, HAZMAT technicians. A member with this level of training has a more direct or specific knowledge of the various hazardous substances requiring containment. A HAZMAT specialist may also act as a site liaison to government authorities regarding site activities (29 CFR 1910.120(q)(6); AAC § R20-5-602).

### 3.5 HAZMAT INCIDENT COMMANDER

HAZMAT IC level training should be provided to all individuals who could be responsible for all decisions relating to the management of a HAZMAT incident (29 CFR 1910.120(q)(6); AAC § R20-5-602).

### 3.6 HAZMAT EMERGENCY RESPONSE PLAN

An emergency response plan shall be developed and implemented to address pre-emergency planning and coordination with additional responders prior to the commencement of emergency response operations. The plan will identify members' roles, lines of authority and communications for all members. The plan shall be in writing and available for inspection and copying by employees, their representatives and Arizona Division of Occupational Safety and Health (ADOSH) personnel.

### 3.7 HAZMAT ANNUAL REFRESHER TRAINING

Members who receive an initial level of training in accordance with this policy shall receive annual refresher training of sufficient and necessary content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly (29 CFR 1910.120(q)(8); AAC § R20-5-602).

## 4. BASELINE PHYSICAL FOR HAZMAT TEAM MEMBERS

Members of an organized, designated HAZMAT team and HAZMAT specialists shall receive a baseline physical examination. The federal Occupational Safety and Health Administration (OSHA) requires that medical examinations and consultations be made available to members of HAZMAT teams within prescribed time periods. All members of a designated HAZMAT team shall receive medical examinations and consultations on the following schedules (29 CFR 1910.120(q) (9); AAC § R20-5-602):

1. Prior to assignment

2. At least once every 12 months
3. At termination of employment or reassignment to duties not covered by this policy
4. As soon as possible upon notification that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards
5. As soon as possible upon notification that the employee has been injured or exposed above the permissible exposure limits or published exposure levels in an emergency situation

The frequency of a member's examinations may be increased if the examining physician determines that it is medically necessary. Medical examinations should include medical and work history. Emphasis should be placed on any symptoms related to the handling of, or exposure to, hazardous substances or health hazards. Medical examinations should address fitness for duty, especially as it pertains to wearing personal protective equipment under conditions that may be encountered on-duty. The content of medical examinations should be made available to the member as determined by the attending physician.

#### 4.1 HAZMAT MEDICAL SURVEILLANCE

Members of an organized and designated HAZMAT team and HAZMAT specialists shall receive a baseline physical examination and be provided with medical surveillance (29 CFR 1910.120(q) (9); AAC § R20-5-602).

Any emergency response member who exhibits signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident, either immediately or subsequently, shall be provided with medical consultation (29 CFR 1910.120(q)(9); AAC § R20-5-602).

Accurate records of the medical surveillance required by this policy shall be retained for the duration of the member's employment plus 30 years. This record shall contain at a minimum the following information (29 CFR 1910.120(q)(9); AAC § R20-5-602):

1. The name and Social Security number of the member.
2. The physician's written opinions, recommended limitations and results of examinations and tests.
3. Any member medical complaints related to exposure to hazardous substances.
4. A copy of the information provided to the physician by the District, with the exception of district policies and OSHA standards.

#### 5. TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all HAZMAT training provided to members. Records should include, but are not limited to:

1. Dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
  - a. Specific content required by regulation covered

- b. Manufacturer's recommendations (as applicable)
- c. Manufacturer's operations/service/maintenance manuals (as applicable)
- 3. The names or other identifiers and job titles of all members who received the training.
- 4. The names, certificate numbers and qualifications of persons conducting the training.
- 5. Demonstration that learning took place (e.g., evaluation, quiz, test).

The Training Officer should maintain the training records in accordance with established records retention schedules.

# Policy 606 – Hearing Conservation and Noise Control Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain hearing conservation and noise control training for members exposed to noise above levels predetermined by Arizona law and federal regulation (29 CFR 1910.95; AAC § R20-5-602).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to promote member health and safety by establishing hearing conservation and noise control training and requiring member participation. The hearing conservation program shall include parameters for permissible noise exposure limits, monitoring guidelines, audiometric testing procedures, hearing protection equipment and training, and documentation of the district's efforts in compliance with state and federal requirements.

## 3. RESPONSIBILITIES

The following procedures shall comprise the hearing conservation and noise control training for the Superstition Fire & Medical District. The Training Officer shall be responsible for ensuring that the appropriate members are enrolled in the training. Captains shall be responsible for ensuring that members attend scheduled testing and training.

### 3.1 NOISE EXPOSURE LIMITS

The Superstition Fire & Medical District shall ensure that each member is provided with protection against the effects of noise exposure any time the sound levels exceed those shown in 29 CFR 1910.95, App. A.

### 3.2 HEARING PROTECTORS

If control measures fail to reduce sound levels to an acceptable level for the amount of exposure, the District shall provide personal protective equipment to all members subject to the noise exposure and require that it be used. Employees shall have the opportunity to select hearing protectors from a variety provided by the District 29 CFR 1910.95, App. B.

The District shall ensure proper initial fit and correct use of hearing protectors and shall provide training in the use and care of the equipment.

### 3.3 MONITORING

The Superstition Fire & Medical District shall monitor noise levels in the workplace by either area monitoring or personal monitoring that is representative of a member's exposure, to enable the proper selection of hearing protectors 29 CFR 1910.95, App. G.

### 3.4 AUDIOMETRIC TESTING PROGRAM

The Superstition Fire & Medical District shall provide audiometric testing and evaluation to all members who are exposed to noise levels in excess of those permissible pursuant to 29 CFR 1910.95, App. C and App. D. The District shall provide baseline audiometric testing annually.

Each member's annual audiogram shall be compared to that member's baseline audiogram to determine if the audiogram is valid and if a standard threshold shift has occurred.

All audiometric testing shall be conducted by properly trained audiometric professionals in compliance with state testing requirements.

## 4. TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all hearing conservation program training provided to members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer shall maintain the training records in accordance with established records retention schedules.

# Policy 607 – Heat Illness Prevention Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a training program that complies with Superstition Fire & Medical District policy for the prevention of heat illness in members who are exposed to high-heat conditions. This policy identifies which members must receive training, the required curriculum, supervisory training and responsibilities, and training record documentation.

### 1.1 DEFINITIONS

Definitions related to this policy include:

Acclimatization - The temporary adaptation of the body to work in the heat. Acclimatization peaks in most people within four to 14 days of working at least two hours per day in the heat.

Heat-related illness - A serious medical condition resulting from the body's inability to cope with a particular heat load and includes, but is not limited to, heat cramps, heat exhaustion, heat syncope (temporary loss of consciousness usually related to insufficient blood flow to the brain) and heat stroke.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to promote member health and safety by establishing a heat illness prevention training program and requiring member participation. In addition to the safety precautions described in the Heat Illness Prevention Program Policy, the District shall ensure that effective training is provided to members before the member begins work that should reasonably be anticipated to result in heat illness.

## 3. TRAINING REQUIREMENTS

Training shall be provided to all members whose duties may include exposure to high-heat conditions and shall include:

1. The environmental and personal risk factors for heat illness.
2. The district's procedures for complying with the Heat Illness Prevention Program Policy for the prevention of heat illness.
3. The importance of frequent consumption of small quantities of water and electrolyte replacement fluid, up to four cups per hour, when the work environment is hot and members are likely to be sweating more than usual in the performance of their duties.
4. The importance of acclimatization.
5. The different types of heat illness and the common signs and symptoms of heat illness.

6. The importance of members immediately reporting to a supervisor, directly or through others, symptoms or signs of heat illness in themselves or in coworkers.
7. The district's procedures for responding to symptoms of possible heat illness, including how Emergency Medical Services (EMS) will be provided if necessary.
8. The district's procedures for contacting EMS and, if necessary, for transporting members to a place where they can be reached by an EMS provider.
9. The district's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided to other emergency responders.

#### **4. SUPERVISOR TRAINING REQUIREMENTS AND RESPONSIBILITIES**

Supervisors shall be provided additional training on the following topics prior to supervising members who will be working in the heat:

1. The procedures to follow to implement the applicable provisions in this policy
2. The procedures to follow when a member exhibits symptoms consistent with possible heat illness, including emergency response procedures
3. The procedures for moving or transporting a member to a rendezvous location accessible to an EMS provider, if necessary

# Policy 608 – Health Insurance Portability and Accountability Act (HIPAA) Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure all members receive proper training in recognizing and handling protected health information (PHI), as set forth in the Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations (42 USC § 201; 45 CFR 164.530).

### 1.1 DEFINITIONS

Definitions related to this policy include (45 CFR 160.103):

**Health information** - Information, whether oral or recorded in any form or medium, that is created or received by a health care provider, health plan or employer and relates to a person's past, present or future physical or mental health or condition, or past, present or future payment for the provision of health care.

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

**Protected health information (PHI)** - Individually identifiable health information that is created or received by a covered entity or employer. Information is protected whether it is in writing, in an electronic medium or communicated orally.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide HIPAA privacy training to all members as necessary and appropriate for their duties, and to apply appropriate sanctions against members who violate the privacy policies and procedures (45 CFR 164.530(b); 45 CFR 164.530(e)).

It is also the policy of the District that no member shall be retaliated or discriminated against for filing a complaint about violations of HIPAA regulations (45 CFR 164.530(g)).

## 3. TRAINING REQUIREMENTS

To ensure confidentiality and compliance with the HIPAA regulations, the District shall provide training to all members likely to have access to PHI. The training shall be completed for all newly hired members prior

to being allowed access to PHI. Training for all current members shall also occur any time material changes are made to the district's privacy policies and procedures.

The Training Officer shall be responsible for establishing a periodic schedule for retraining and a method of ensuring that all members acknowledge receipt of all HIPAA training (45 CFR 164.530(b)).

Training should include a review of the:

1. District's statutory obligations imposed by HIPAA.
2. Patient Medical Record Security and Privacy Policy, including a thorough treatment of the security procedures the District uses to protect written and electronic health information.
3. Methods and procedures to be used during the collection of PHI.
4. HIPAA-imposed statutory limitations on the dissemination of PHI to the family members of patients.
5. Proper procedures when responding to media requests for information regarding incidents at which the District provided medical services.
6. Procedures for the secure destruction of written instruments containing PHI, including handwritten field notes, Patient Care Reports or other documents containing PHI.
7. Approved method for transferring PHI to receiving hospitals or other receiving medical facilities.
8. Photography and Electronic Imaging Policy as it pertains to PHI.
9. District's procedures for protecting employee health information.

#### **4. TRAINING RECORDS**

The Training Department shall be responsible for maintaining the records of all HIPAA-related training for all members for six years (45 CFR 164.530(j)).

# Policy 609 – National Incident Management System (NIMS) Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the training requirements for members to successfully operate under the Incident Command System (ICS) and the National Incident Management System (NIMS).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to utilize NIMS/ICS in order to effectively manage personnel and resources when responding to a wide range of emergency incidents. All Superstition Fire & Medical District members whose job duties may include a role in emergency management or incident response shall be appropriately trained to the NIMS standards to improve all-hazards capabilities nationwide.

## 3. PROCEDURE

All district personnel with job duties that include a direct role in emergency management or incident response must complete the Federal Emergency Management Agency (FEMA) NIMS IS-700 course.

Additional training is available on an as-needed basis, depending on the regional role of the District or the role of a member within the District as follows:

1. Entry Level:
  - a. FEMA IS-700: NIMS, An Introduction
  - b. ICS-100: Introduction to ICS or equivalent
2. First Line, Single Resource, Captains, and Field Supervisors:
  - a. IS-700.A, ICS-100 and ICS-200: Basic ICS or its equivalent
3. Middle Management: Battalion Chiefs, Strike Team Leaders, Division Supervisors, Emergency Operations Center Staff:
  - a. IS-700.A, IS-800.B NRF, ICS-100, ICS-200 and ICS-300
4. Command Staff and General Staff, Area Emergency and EOC Managers:
  - a. IS-700.A, IS-800.B NRF, ICS-100, ICS-200, ICS-300 and ICS-400

Refresher training will be offered on a regular basis to ensure that NIMS/ICS knowledge and skills are maintained, especially for personnel who are not regularly involved in complex multijurisdictional

incidents nationwide (i.e., incidents that require responders to hold credentials under the National Emergency Responder Credentialing System).

#### **4. TRAINING RECORDS**

The Training Officer shall be responsible for maintaining records of all NIMS training provided to members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

# Policy 610 – Respiratory Protection Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to protect the health of members through appropriate training on the use of respirators to avoid breathing air that is contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays and vapors.

This policy identifies which members must receive respiratory protection training, the minimum training curriculum and the requirements for recurrent training (29 CFR 1910.134; AAC § R20-5-602).

### 1.1 DEFINITIONS

Definitions related to this policy include:

Respirator or respiratory protection - Personal protective equipment (PPE) designed to protect the wearer from airborne contaminants, oxygen deficiency or both.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to protect the health of members by providing respiratory protection training.

## 3. TRAINING REQUIREMENTS

### 3.1 IDENTIFICATION OF MEMBERS TO BE TRAINED

The District shall provide effective respiratory protection training to all members who are required or expected to utilize respirators.

Members shall be trained, based on their duties, if they (29 CFR 1910.134; AAC § R20-5-602):

1. Use respirators.
2. Supervise respirator users.
3. Issue, repair or adjust respirators.

### 3.2 MANNER OF TRAINING

The District will present effective training using qualified instructors. Training may be provided using audiovisuals, slide presentations, formal classroom discussion, informal discussions during safety meetings, training programs conducted by outside sources or a combination of these methods.

Instructors should be available to provide responses to questions, evaluate the participants' understanding of the material and provide other instructional interaction.

Respirators used in training shall be cleaned and disinfected after each use (29 CFR 1910.134; AAC § R20-5-602).

### 3.3 FREQUENCY OF TRAINING

The District will provide respiratory protection training:

1. Initially, before work site respirator use begins.
2. Periodically but within 12 months of the previous training.
3. Additionally, when the following occurs:
  - a. The member has not retained knowledge or skills.
  - b. Changes in the work site or type of respirator make previous training incomplete or obsolete.

After completing initial training, each member shall practice, at least quarterly, for each type and manufacturer of respiratory equipment that is available for use, the step-by-step procedure for donning the respirator and checking it for proper function (29 CFR 1910.134; AAC § R20-5-602).

### 3.4 CONTENTS OF TRAINING

Members shall receive training for each type and manufacturer of respiratory equipment that is available for their use, including the step-by-step procedure for donning the respirator and checking it for proper function. Required training shall include (29 CFR 1910.134; AAC § R20-5-602):

1. Recognizing hazards that may be encountered.
2. Understanding the components of the respirator.
3. Understanding the safety features and limitations of the respirator.
4. Donning and doffing the respirator.

Members shall be thoroughly trained in accordance with the manufacturer's instructions on emergency procedures, such as the use of the regulator bypass valve, corrective action to take for facepiece and breathing tube damage, and breathing directly from the regulator (where applicable).

### 3.5 SUCCESSFUL COMPLETION

In order to successfully complete training, members must be able to demonstrate the following knowledge and skills, as required by their duties:

1. Why the respirator is necessary, including identifying respiratory hazards, such as hazardous chemicals, the extent of the members' exposure and potential health effects and symptoms.
2. The respirator's capabilities and limitations, including how the respirator provides protection and why air-purifying respirators cannot be used in oxygen-deficient conditions.
3. How improper fit, use or maintenance can compromise the respirator's effectiveness and reliability.
4. How to properly inspect, put on, seal check, use and remove the respirator.
5. How to clean, disinfect, repair and store the respirator.
6. How to use the respirator effectively in emergency situations, including what to do when a respirator fails and where emergency respirators are stored.
7. Medical signs and symptoms that may limit or prevent the effective use of respirators.

#### **4. TRAINING RECORDS**

The Training Officer shall be responsible for maintaining records of all respiratory protection training that is provided to members (29 CFR 1910.134; AAC § R20-5-602). At a minimum, the District should document:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.
5. Documentation of each member's demonstrated performance in meeting the standards detailed in this policy.

The Training Officer should maintain the training records in accordance with established records retention schedules.

# Policy 611 – Wildland Fire Shelter Deployment Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure members who may participate in wildland firefighting, who perform in-field investigations of wildland fires or who provide in-field support services to wildland firefighting operations have thorough and recurrent training on the quick and effective deployment of a wildland fire shelter.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide initial and recurrent wildland fire shelter deployment training to all district members who may be exposed to wildland fire conditions.

The highest priority for a firefighter in wildland fire conditions is to stay out of situations that can lead to entrapment. A fire shelter does not guarantee safety. It is a last resort in emergency conditions when there are no other options.

## 3. PROCEDURE

The Training Officer shall be responsible for scheduling wildland fire shelter deployment training annually, prior to the anticipated beginning of the main wildland fire season. All new members shall receive wildland fire shelter deployment training prior to being assigned to field operations.

Annual fire shelter deployment training shall include, but is not limited to:

1. A review of the National Wildfire Coordinating Group (NWCG) pamphlet entitled National Fire Equipment System (NFES) #2710 "The New Generation Fire Shelter."
2. Either instructor-based fire shelter orientation or viewing of the NWCG Fire Shelter Training video NFES #2711 or #2712.
3. Performance of practice fire shelter deployment using NWCG-recommended tasks and scenarios that include:
  - a. Standard fire shelter deployment, including clearing a 4-foot by 8-foot site in preparation for deploying the shelter.
  - b. Proper use of fire shelter shake handles. Members should practice locating and grasping the shake handles correctly to ensure that the shelter opens quickly, allowing the user to get inside the shelter quickly.
  - c. Deployment of the shelter while lying on the ground, including practical exercises in deploying the shelter from the ground.

- d. Practical exercise of discarding extra gear and removing the shelter while escaping and utilizing the partially unfolded shelter as a heat shield while escaping.
- e. Practical exercise of deploying the fire shelter in a strong wind (utilizing natural or machine-created wind).
- f. Practical exercise of lying inside the shelter for a prolonged time.

Fire shelter deployment training should not be conducted in a live fire situation.

#### **4. TRAINING RECORDS**

The Training Officer shall be responsible for maintaining records of all wildland fire shelter deployment training that is provided to members. Training documentation should include:

1. The dates of the training sessions.
2. A list of topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.
5. Documentation of each member's demonstrated performance in meeting the standards detailed in this policy.

The Training Officer should maintain training records in accordance with established records retention schedules.

# Policy 612 – Training Records

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for accumulating and maintaining records of all training provided by the District and all training received by individual district members. This policy shall apply to all training received but particularly training that is mandated by an external force such as a law, statute or regulation.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to maintain comprehensive records of all training provided by the District and all training received by district members. The Training Officer or the authorized designee shall be responsible for creating and maintaining training records. All members of the District are responsible for assisting the Training Department in documenting training activities by signing course rosters, submitting certificates of completion from outside training or providing other means of training documentation.

Training records may be documented utilizing either hard copies stored in a traditional filing system or via electronic files. All electronic training records will be redundantly stored using district- approved secure electronic file storage systems.

## 3. MASTER TRAINING CALENDAR

The Training Department will create and maintain an annual master training calendar for the District. This calendar will document all district-provided, regularly scheduled training opportunities. The master training calendar should be a living document, reflecting any changes made in the actual training schedule or actual training opportunities provided throughout the year. The training opportunities in the master training calendar should include, but are not limited to:

1. All federal or state mandated training. Examples include courses that address sexual harassment prevention, medical records privacy, personal protective equipment, bloodborne pathogens, CPR and hearing protection.
2. All federal or state mandated training drills, manipulative drills, skills or equipment testing, including annual audiograms and fit testing for Occupational Safety and Health Administration/National Institute for Occupational Safety and Health (OSHA/NIOSH)- approved masks and respirators.
3. All Arizona Center for Fire Service Excellence and other training provided by the District.
4. Specific training and certification for "all-hazards" positions, based on the Incident Command System (ICS), the National Incident Management System (NIMS) or other NIMS-compliant incident management system.

5. All NIMS, ICS and NIMS-compliant incident management system courses.
6. All Emergency Medical Services (EMS) pre-hospital care, continuing education courses or programs provided by the District.
7. Any training opportunity scheduled through the Training Department and intended to be provided division-wide to each of the Divisions.
8. Any training opportunity utilizing instruction from outside the District.
9. Any interagency cooperative training program or activity.
10. Any regularly scheduled skills, drills or job performance training and testing evolutions.

Copies of each year's master training calendar will be maintained and retained in the Training Department files based on district-established records retention schedules.

#### **4. DIVISION TRAINING RECORDS**

The Training Officer shall be responsible for maintaining records of all training provided by all Divisions of the District. All Divisions are required to submit documentation for each training session offered. The information in each record shall include, but is not limited to:

1. The course title.
2. An outline of the subject matter and specific details of any information mandated by federal or state code, Arizona Division of Occupational Safety and Health regulation or other requirement.
3. The dates the course was provided to members.
4. The instructor names, qualifications and/or certifications.
5. Copies of course curriculum, course duration, information sheets or other course content provided to students.
6. Attendance records for each course session, including each member's name or other identifier.

#### **5. INDIVIDUAL TRAINING RECORDS**

The Training Department will create and maintain an individual training file for each member of the District. The training files will be kept separate from the district's personnel files. The member training files should be used to document a member's training courses and training-related programs and activities.

The training files shall not be used to store any work-performance records, member conduct records, member disciplinary records or any other documentation that is not specifically training-related. Information entered into the member training files will be a permanent part of that record. No training information or entries will be removed from the file unless the record is found to be factually incorrect or erroneously entered into that member's training file. Each member's training file will be part of that member's permanent record of activity while employed by the District.

When a member ends employment with the District, that member's training file will be archived and maintained in accordance with the district's established records retention schedule.

Members of the District shall be provided access to their individual training file upon request. A member may request to review his/her training file either verbally or in writing. The Training Department should facilitate those requests as soon as practicable but in all cases within 21 days of the member's request to review his/her file. Members may not remove any document or information from the training file without the express approval of the Training Officer. Members may not add any documents or entries to their training file without the approval of the Training Officer or other approved member of the Training Department staff. Members shall be allowed to photocopy or otherwise reproduce images of any entries in their individual training file.

Member training files should be organized to readily allow for the retrieval of specific training subject documentation, particularly in regard to documentation of any mandated training subject compliance.

Member training files should contain documentation of all work- or job-related licensing and certification that the member earns, achieves or is awarded. Information regarding member progress toward or application for licensing and certification should also be stored in the member training files. Examples include National Wildfire Coordinating Group (NWCG) coursework, NWCG position task books and certifications, NIMS certifications, ICS certifications, Arizona Center for Fire Service Excellence certifications, International Fire Service Accreditation Congress certifications, and Arizona Bureau of Emergency Medical Services & Trauma System pre-hospital care provider continuing education coursework, licensing and certification records (Emergency Medical Care Technician).

## **6. TRAINING RECORDS FROM PREVIOUS EMPLOYERS**

Members of the District may submit training records from previous employers to the Training Department for inclusion in their individual training file. The Training Department staff will evaluate any submitted training records obtained during previous employment and will add any pertinent information to the member's training file as appropriate. New members should submit to the Training Department copies of any licenses, certifications and coursework that are pertinent to their position with the Superstition Fire & Medical District.

The Training Department staff may request that new members obtain and submit copies of any previous employer training files for inclusion in their Superstition Fire & Medical District training file.

## **7. RELEASE OF FORMER MEMBER TRAINING RECORDS**

Upon written request, the individual training file of any former Superstition Fire & Medical District member may be copied and released to either the former member or to a third party upon receipt of a signed written request from the former member of the District. The written request should include the past member's full name, approximate dates of employment with the District and date of separation from employment with the District. In the event that the former member is requesting that copies of his/her file be sent directly to a third party, the written request should include a statement authorizing the Superstition Fire & Medical District to release copies to the named third party.

# Policy 613 – Firefighter Health, Safety and Survival Training

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to encourage a culture of safety first in an effort to increase firefighter health, safety and survival, and reduce the number of preventable injuries and deaths.

## 2. POLICY

The Superstition Fire & Medical District is committed to providing leadership, accountability and training regarding firefighter health, safety and survival.

## 3. MEMBER RESPONSIBILITIES

Members are responsible for participating in health, safety and survival training required by the District. Members are also responsible for their own actions and are expected to follow Superstition Fire & Medical District safety standards, practices and training.

Any member who observes another member engaging in unsafe behavior should report the behavior to his/her supervisor as soon as reasonably practicable.

## 4. SUPERVISOR RESPONSIBILITIES

Captains are responsible for ensuring members attend required health, safety and survival training.

All supervisors are expected to model safe behaviors and take appropriate action when unsafe behaviors are observed or reported.

## 5. TRAINING OFFICER RESPONSIBILITIES

The Training Officer is responsible for identifying health, safety and survival training required by the District.

Required training may include safety-related courses of the National Fallen Firefighters Foundation (NFFF), National Fire Academy, International Association of Fire Chiefs, International Association of Firefighters or other nationally recognized fire service organizations.

Required training should include the Courage to Be Safe® course of the NFFF for all members and should include the Leadership So Everyone Goes Home® course of the NFFF for all supervisors.

## **6. TRAINING RECORDS**

The Training Officer is responsible for maintaining records of health, safety and survival training received by members. Records should include, but are not limited to:

1. The dates of the training sessions.
2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and job titles of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.



# **Chapter 7: Equipment and Technology**

# Policy 700 – Use of District-Owned Property

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the care and maintenance of district property entrusted to district members and the return of district property upon separation from employment or affiliation with the District.

## 2. POLICY

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

## 3. PROCEDURE

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

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

### 3.1 SURRENDERING DISTRICT PROPERTY UPON SEPARATION

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

1. All district property, including keys, identification cards, electronic devices and system access cards, shall be returned to the District no later than the member's departure date or as directed by the Fire Chief or the authorized designee.
2. Badge surrender shall be consistent with the Badges Policy.
3. A member who fails to return all district property in his/her possession may be required to reimburse the District for the value of the property or may be subject to legal action brought by the District.

# Policy 701 – Personal Communication Devices

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the District or personally owned, while on-duty or when used for authorized work-related purposes.

## 2. POLICY

The Superstition Fire & Medical District allows members to utilize district-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations.

Members are advised and cautioned that the use of a personally owned PCD either on-duty or off-duty for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable Arizona Public Records Law.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

## 3. PRIVACY EXPECTATION

The District reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the District, including any district-issued PCD or personally owned PCD that has been used to conduct district-related business. This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through district PCDs or networks.

## 4. DISTRICT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the District may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance.

Unless a member is expressly authorized by the Fire Chief or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of duty or will be turned off when leaving the workplace.

## **5. PERSONALLY OWNED PCD**

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- The District accepts no responsibility for loss of or damage to a personally owned PCD.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or memorandum of understanding (MOU) agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in district business-related communications.

## **6. USE OF PCD**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct district business:

1. A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.
2. Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
3. Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official district business. Disclosure of any such information to any third party through any means, without the express authorization of the Fire Chief or the authorized designee, may result in discipline.
4. Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

## **7. SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include but are not limited to:

1. Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
  - a. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Fire Chief or the authorized designee.

## **8. OFFICIAL USE**

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

## **9. USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Firefighters operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

All members who are operating vehicles that are not equipped or are equipped with lights and siren should not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (ARS § 28-914). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

# Policy 702 – Vehicle and Apparatus Inspections, Testing, Repair and Maintenance

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the testing, inspection, repair and maintenance responsibilities of members with regard to district vehicles and apparatus. Vehicles and apparatus shall comply with all regulations specified in the Arizona law and/or the National Fire Protection Association (NFPA) 1002. Inspections also ensure that vehicles and apparatus are properly equipped, maintained and refueled and present a professional appearance (ARS § 28-981).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Apparatus** - Vehicles designed for the purpose of firefighting. This includes pumpers, ladder trucks and aerial devices, tiller trucks, wildland firefighting, aircraft rescue firefighting (ARFF) and mobile water supply (water tender) units.

**In-reserve** - Any vehicle or apparatus that, while not currently staffed, is ready for service or deployment as needed, regardless of whether it is fully equipped with tools and equipment.

**In-service** - Any vehicle or apparatus that is either staffed or cross-staffed by members of the Emergency Services/Operations Division or that is pre-positioned to be readily available to on-duty Emergency Services/Operations personnel for calls for service (e.g., airport rescue, firefighting apparatus).

**Staff vehicles** - District vehicles assigned to members for their use during official district business.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all vehicles and apparatus comply with the applicable federal and state vehicle operating and safety criteria. All vehicles and apparatus should be inspected daily, including in-service and in-reserve apparatus. Vehicles and apparatus that are out of service for testing, maintenance or repair need not be inspected until they are returned to service or released to in-reserve status.

## 3. PROCEDURE

### 3.1 APPARATUS DAILY INSPECTIONS

Operators should be responsible for conducting a daily inspection of all apparatus that has been established by the District and includes all of the items and provisions identified to ensure safe operational

status. An inspection list is detailed in the applicable sections of NFPA 1002. The district daily inspection list shall be approved by the Fire Chief.

When an apparatus becomes inoperative or in need of a repair that affects safe operation, the Captain shall be immediately notified. Based on the determination of the Captain, if the apparatus cannot be used in a safe manner, it shall be immediately removed from service. All equipment shall be accounted for on a daily basis.

An apparatus shall be considered unsafe and placed out of service if deficiencies are detected in one or more of the following areas:

- Brake system
- Cab and/or body mounting
- Steering
- Door latches
- Suspension
- Seat belts
- Wheels or tires
- Windshield, windshield wipers or defroster
- Transmission or driveline

Other deficiencies may or may not require an apparatus to be placed out of service. Any safety- related deficiency that does not require the apparatus to be taken out of service shall be repaired as quickly as possible.

### 3.2 STAFF VEHICLE INSPECTIONS

Members who are assigned staff vehicles should be responsible for the inspection and maintenance of their assigned vehicles. Maintenance should include checking and maintaining engine and transmission fluids, checking and maintaining tire inflation pressure, monitoring tire wear and any other inspection needed to ensure the safe operation of the vehicle.

Any vehicle issues discovered during inspection should be promptly addressed. When a vehicle becomes inoperative or in need of a repair that affects the safe operation of the vehicle, it should be immediately removed from service for repair.

### 3.3 TESTING AND REPAIR

Fire pumps on apparatus shall be tested as specified in NFPA 1911. Aerial devices shall be inspected and service tested by a competent person as specified in NFPA 1914.

All repairs and preventive maintenance to apparatus shall be made by personnel deemed qualified by the registered owner of the apparatus.

#### **4. RECORDS**

The District shall maintain records of inspections, testing, repairs and maintenance for each vehicle or apparatus using the appropriate forms for the vehicle type. Completed records and reports shall be retained by the District based on established records retention schedules.

# Policy 703 – Use of District Vehicles

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures for the off-duty use of district take-home vehicles. The use of take-home vehicles is an essential component of the district's recall program, which ensures resources are available in the event of an emergency or critical incident. To facilitate faster response to recalls or for other legitimate district needs, members may be allowed to take district vehicles home. These vehicles provide the means to respond directly to an incident without first diverting to a fire station to retrieve a vehicle and/or needed equipment.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Emergency recall** - A member's assignment requires immediate response during off-duty hours to other than the member's normal work location to handle an emergency action.

**Investigative recall** - A member's assignment requires timely response during off-duty hours to other than the member's normal work location to handle a fire investigation.

**Take-home vehicle** - A vehicle owned by the District that is authorized for commuting between work and home and/or off-duty use. District vehicles secured at a location other than the member's assigned work location for the purpose of shortening a member's commute shall also be considered take-home vehicles.

## 2. POLICY

The District provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the District, emergency and investigative recall, and other considerations.

## 3. PROCEDURE

District members authorized to use take-home vehicles must adhere to the following guidelines:

1. Vehicles shall only be used for official business and, when approved, for commuting to allow members to respond to district-related business and recall to duty outside their regular work hours.
2. Members authorized to use take-home vehicles are to monitor the radio whenever they are operating the vehicle. They are to make appropriate notification or take appropriate action on any fire-related matter that may come to their attention via the radio or through personal observation.

3. District members are prohibited from driving district vehicles any time their driving ability may be impaired by prescription or non-prescription drugs or alcoholic beverages.
4. District take-home vehicles are to be left at a fire facility during vacations or other periods of leave in excess of seven days unless approved by the Fire Chief or the authorized designee.
5. District members shall not relinquish control of, nor allow any person to operate, district vehicles if that person is not a member of the District, except in the case of an emergency where the member is unable to drive him/herself.

### 3.1 ASSIGNED VEHICLE AGREEMENT

Members who have been assigned a take-home vehicle may use the vehicle to commute to their workplace and for district-related business. The member must be approved for an assigned vehicle by the Fire Chief and shall sign an agreement that includes the following criteria:

1. The member must live within a 30-minute commute of his/her regularly assigned work location (based on average traffic flow). A longer response time may be allowed based on special assignment of the member.
2. District-owned vehicles shall not be used for personal errands or other personal business unless approved by a supervisor for exceptional circumstances.
3. The District should provide necessary care and maintenance supplies.
4. Off-street parking shall be available at the member's residence.
5. Vehicles shall be locked when not attended.
6. All district identification, portable radios and equipment should be secured.

Members are cautioned that under Internal Revenue Service (IRS) rules, personal use of a district- owned vehicle may create an income tax liability to the member. Questions regarding IRS rules should be directed to the member's tax adviser.

The assignment of vehicles is at the discretion of the Fire Chief. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

### 3.2 VEHICLES SUBJECT TO INSPECTION

All district-owned vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such a vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

### 3.3 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to district vehicles without written permission from the designated vehicle manager.

## **4. PERSONAL VEHICLES**

### **4.1 TRAVEL TO AND FROM WORK**

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.

### **4.2 USE OF PERSONAL VEHICLES 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.
4. 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.

# Policy 704 – Information Technology Use

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of district information technology resources, including computers, electronic devices, hardware, software and systems.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Superstition Fire & Medical District that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the District or district funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system, including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

## 2. POLICY

Superstition Fire & Medical District members shall use information technology resources, including computers, software and systems, that are issued or maintained by the District in a professional manner and in accordance with this policy.

## 3. PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any district technology system.

The District reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the District, including the district email system, computer network or any information placed into storage on any district system or device. This includes records of all keystrokes or Web-browsing history made at any district computer or over any district network. The fact that access to

a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through district computers, electronic devices or networks.

#### **4. RESTRICTED USE**

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisor or Fire Chief.

Members shall not use another person's access passwords, login information and other individual security data, protocols and procedures.

##### **4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any district computer. Members shall not install personal copies of any software on any district computer.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the District while on district premises, computer systems or electronic devices. Such unauthorized use of software exposes the District and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of district- or District-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff.

##### **4.2 HARDWARE**

Access to technology resources provided by or through the District shall be strictly limited to district-related activities. Data stored on or available through district computer systems shall only be accessed by authorized members who are engaged in an approved district-related project or program or who otherwise have a legitimate district-related purpose to access such data.

##### **4.3 INTERNET USE**

Internet access provided by or through the District should be limited to district-related activities. Internet sites containing information that is not appropriate or applicable to district use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms, and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the Internet shall be limited to messages, mail and data files.

#### 4.4 OFF-DUTY USE

Members shall only use technological resources related to their job while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access district resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

### 5. PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure district computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system and shall be changed at intervals as directed by IT staff.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

### 6. INSPECTION AND REVIEW

The district's IT contractor may extract inspect, or review computer system malfunctions, problems or general computer system failure, an alleged or suspected violation of any district policy, a request for disclosure of data, or a need to perform or provide a service.

# Policy 705 – Mobile Data Terminal Use

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for use of the Mobile Data Terminal (MDT) in the apparatus to access incident and resource information and log unit status. Members using the MDT shall comply with appropriate federal and state rules and regulations.

## 2. POLICY

The MDT shall be used for official district business only. District messages may be reviewed by supervisors at any time without prior notification. Members generating or transmitting messages not in compliance with this policy are subject to discipline. All calls dispatched to fire companies should be communicated by voice and MDT unless otherwise authorized by the Battalion Chief.

### 2.1 USE WHILE DRIVING

Use of the MDT by the apparatus operator should be limited to times when the apparatus is stopped. Sending or reading MDT messages while an apparatus is in motion is a potentially dangerous practice. Reading messages while in motion should be done by the Captain or other crew member who is not driving and has access to the MDT.

# Policy 706 – Knox-Box and Other Access Box Systems

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide information about the Knox-Box® Rapid Entry System or other access box systems and the roles and responsibilities of district members with regard to access-key security, storage and accountability. This policy shall apply to all buildings or sites within the Superstition Fire & Medical District jurisdiction where it has been determined that an access-keyed device is needed or has been provided for accessibility for emergency responders (AA C R4-36-201).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Computer-Aided Dispatch (CAD) premise information file** - A file entered in a CAD system to automatically notify responding units of certain information, including the presence of an access box, about a facility to which they have been dispatched.

**Access tag** - Attached to each key in an access box to identify its function.

**Knox-Box, Emergency Access Systems box or other access box** - A locked box used for securely storing the keys to a gate, building or rooms within a building.

**Knox Company** - The manufacturer/vendor of Knox-Box, cabinets, key switches, padlocks and related accessories.

**Access box master key** - A key carried on all fire apparatus that enables district members to unlock any keyed access box within the jurisdiction.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to be registered with the Knox Company or other access box system manufacturer to participate in a rapid entry system, providing safe and secure nondestructive emergency access to commercial and residential properties. Participation minimizes potential budget impacts caused by forcible entry during an emergency and allows a building to be re-secured quickly and easily by members.

The Fire Chief or the authorized designee shall appoint an access box program coordinator, who shall be responsible for ensuring that all aspects of the program are administered in accordance with state fire code, local ordinance and manufacturer requirements.

### **3. ACCESS BOX KEY ACCOUNTABILITY**

No individual member shall be issued an access box master key. Appropriate fire apparatus shall be equipped with locking units that are accessed by an individual pin code. Once the master key is released, it should be used to access the keyed device at the location of the emergency and be immediately returned to the secured unit.

The Fire Chief is ultimately accountable for access box master keys issued to the District. Any missing master key shall be immediately reported verbally to a supervisor and followed up with a written explanation to the Fire Chief or the authorized designee by the end of the applicable/ assigned shift.

Maintenance and security of the access box master keys is essential to the credibility of the program. Any loss of a master key shall be thoroughly investigated and appropriate action initiated. If the key cannot be recovered, all access box master keys in the jurisdiction may have to be replaced at district expense.

# Policy 707 – Communications Operations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish standards for two-way radio communications during routine, local emergency, regional emergency and mutual aid events. The basic function of the communications system is to satisfy the immediate information needs of the District in the course of its activities. Standards of performance are necessary if the system is to remain functional during emergencies.

### 1.1 FEDERAL COMMUNICATIONS COMMISSION (FCC) COMPLIANCE

All Superstition Fire & Medical District radio operations shall be conducted in accordance with FCC procedures and guidelines.

## 2. POLICY

The Superstition Fire & Medical District will provide access to a two-way radio communication system to facilitate a more efficient response to emergency situations. The communication system is intended for official job-related communications between fire apparatus and the Dispatch Center. Fire apparatus and members shall be equipped with the appropriate types of two-way radios, personal communication devices and/or satellite paging system for the jurisdiction, type of work anticipated, and for local and regional interagency/multi-agency incidents.

## 3. RADIO COMMUNICATIONS

### 3.1 RADIO TESTING

Members assigned to an apparatus for a shift should check for radio functionality at the beginning of each shift to ensure that the mobile and portable radios are working as designed.

# Policy 708 – Public Alerts

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for notifying the public of vital fire safety information and/or emergency evacuation instructions.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to use Public Media Alerts to notify the public of critical fire prevention campaigns, fire hazard warnings and emergency evacuation instructions. A Public Alert shall require the authorization of a Battalion Chief, the Public Information Officer, or higher rank.

## 3. PROCEDURE

Public Alerts are intended to inform the public about incidents and recruit public assistance through proactive activities via a widespread media alert. In addition to any local radio, television and press affiliates, the public will be notified of the circumstances of an emergency affecting the health and safety of people in a geographic area, and what the public can do to assist emergency responders during the incident.

The Public Information Officer should be involved in any communique released via a Public Alert, if time permits, but certainly in the case of fire prevention campaigns, fire hazard warnings, weather alerts or notification of health information (e.g., pandemics, heat events).

In the event of a widespread emergency, such as a hazardous material (HAZMAT) release, biological threat or a major fire, the Dispatch Center will likely be operating at or beyond capacity. Any Public Alert should include a telephone number outside the Dispatch Center for the public to call for additional information and explicit instructions not to call the Dispatch Center for additional information. In the case of SFMD, the Pinal County Emergency Management phone number is (520) 866-6684.

1. A Public Media Alert should include, but is not limited to:
2. The Superstition Fire & Medical District has generated the alert.
3. The nature of the alert.
4. The location and scope of the incident/prevention campaign/fire hazard.
5. What the listener should do to assist in the effort.
6. Established routes and/or destinations, if applicable.
7. Where the listener can call to get additional information, if applicable.
8. Instructions regarding what the listener should not do, if applicable.

# Policy 709 – Photography and Electronic Imaging

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to authorize district members to utilize photography and electronic imaging to document non-incidents and incidents while also protecting the privacy of citizens and ensuring district compliance with the mandates of the Health Insurance Portability and Accountability Act (HIPAA) and Arizona law. Records management and HIPAA restrictions are covered in detail under separate sections in this Policy Manual.

This policy establishes legal ownership of all photographs and electronic images collected by district members; establishes the parameters for the types of incidents, subjects and activities that may be photographed or electronically imaged; and establishes restrictions on the use of such photographs and electronic images.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to authorize members to utilize photography and electronic imaging to document incidents and district activities that are subject to compliance with specific regulations, conditions, restrictions and guidelines.

The use of photography or electronic imaging of medical patients, injured victims or other people who are medically evaluated or treated by district members must also comply with the requirements of HIPAA and Arizona law.

The Superstition Fire & Medical District shall respect the privacy rights established in the state and federal constitutions.

## 3. OWNERSHIP AND COMMERCIAL USE OF PHOTOGRAPHS AND ELECTRONIC IMAGES

All photographs and electronic images taken by district members while on-duty or acting in an official capacity are the sole property of the District and may not be sold, transferred for commercial use, bartered or otherwise distributed for profit by any member of the District without the express prior approval of the Fire Chief (17 USC § 201).

## 4. AUTHORIZED USE OF PHOTOGRAPHY AND ELECTRONIC IMAGING

### 4.1 NON-INCIDENT EVENTS

Photography and electronic imaging may be utilized by district members for non-incident events, including:

1. Documentation of district training events, exercises, lectures, classes or activities, and all fire academy-related activities.

2. Documentation of internal district events and activities, such as promotional ceremonies, member recognition or award presentations, meetings, seminars, workshops and other activities involving district members.
3. Documentation of public events, such as safety seminars, fire station open house events, Planning and Logistics education events and activities, school safety presentations and club or service organization events.
4. Documentation of all district vehicles, apparatus, tools and equipment, facilities and other district-owned property.
5. Creation and maintenance of a photo/image bank depicting all district members.
6. Documentation of all buildings, structures, facilities, infrastructure components, landmarks and recreational areas within the district's jurisdiction for later use in disaster mitigation, recovery and cost-recovery efforts.
7. Documentation of any condition, activity or event related to the district's code enforcement responsibilities.
8. Documentation of inspections, code compliance activities or any other activity of
9. Planning and Logistics.
10. Unless prohibited elsewhere in this policy, documentation of any district activity for future use in training.
11. For any other purpose authorized by the Fire Chief, Battalion Chief or any Assistant Chief/Director.

#### 4.2 INCIDENT-RELATED EVENTS

Photography and electronic imaging may be utilized by district members at incident scenes, including:

1. Documentation of the conditions on arrival and during suppression activities at any fire incident.
2. Documentation of fire, smoke, water, structural collapse or any other damage or conditions resulting from any fire or fire-related event.
3. Documentation of people at the scene of a fire or a fire-related incident for the purpose of future investigation.
4. Documentation of anything of evidentiary value found at a fire or incident scene where any type of investigation may be initiated.
5. Documentation of the location, position, trauma, injuries or any other factor of investigative interest related to deceased victims at a fire or fire-related incident or other incidents.
6. Documentation of the condition of vehicles, apparatus, bicycles or other items involved in collisions, accidents, entrapments or other rescue or medical events.
7. Documentation of the extrication of trapped individuals in any rescue situation.

8. Documentation of the cause, location, extent, severity and nature of traumatic injuries of patients at the scene. These images may be transferred to the receiving physician, nurse or other authorized representative who assumes medical care for the patient.
9. Documentation of all aspects of any incident involving hazardous materials.
10. Documentation of severe weather events, including any damage, injuries or fatalities caused by such events.
11. Documentation of any other event, situation or activity as deemed appropriate and necessary by the Incident Commander of any event.

## **5. PROHIBITED USE OF PHOTOGRAPHY OR ELECTRONIC IMAGING**

District members are prohibited from using photography or electronic imaging except as permitted in this policy.

Prohibited use of photography or electronic imaging shall include, but is not limited to:

1. Photographs and/or electronic images may not be taken, transmitted or used in violation of any HIPAA regulation and Arizona law.
2. Photographs and/or electronic images may not be taken, transmitted or used for personal purposes.
3. Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images should be taken inside a private residence during a non-traumatic medical aid incident.
4. Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the treatment of the patient, no photographs or electronic images should be taken of a patient under 18 years of age during a medical aid response.
5. Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images depicting patient genitalia or the exposed breasts of female patients should be taken by district members (ARS § 13-3019).
6. Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photograph or electronic image should be taken of a patient being treated by district members if the person expresses or indicates that he/she does not wish to be photographed. In the event that the need arises to take a photograph or electronic image of a medical patient against the patient's wishes, the medical need for taking the image will be explained to the patient with a witness present. Details regarding the need for the photograph or electronic image, the explanation provided to the patient and the identity of the witness present shall be included in a Patient Care Report and/or incident report for the response.

# Policy 710 – Non-Official Use of District Property

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the non-official use of district property. District property includes, but is not limited to, all portable pumps, chain saws, rescue saws, generators, fire hoses, hose adapters, suction hoses, ladders, rescue equipment, small tools or any power driven tools.

## 2. POLICY

The personal use of district property is not authorized. No equipment shall be loaned or used by a member for any purpose other than official district business without the express prior approval of a Battalion Chief.

Requests from water companies or other agencies for hose adapters or other equipment should be forwarded to the appropriate Battalion Chief for consideration.



# **Chapter 8: Records Management**

# Policy 800 – Records Management

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## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

## 3. CUSTODIAN OF RECORDS

The Fire Chief shall appoint a Custodian of Records, who will oversee the records management program, including the records retention schedule. The Custodian of Records or the authorized designee should (ARS § 39-121.01; ARS § 41-151.14):

1. Remain familiar with the Arizona Public Records Law (ARS § 39-121 et seq.).
2. Identify what records the District has, where the records are kept, the volume and how the records are used.
3. Maintain and update the district's records retention schedule, including:
  - a. Identify the minimum length of time the District must keep records in a series.
  - b. Identify the district section or division responsible for the original record.
4. Coordinate the placement of inactive records in storage, including:
  - a. Maintaining a storage inventory.
  - b. Providing an annual reminder to Assistant Chief/Directors and section managers to review files to determine if any records should be transferred to storage.
5. Manage the destruction of district records, including:
  - a. Annually reviewing the records retention schedule and storage inventory list to determine which records are eligible for destruction.
  - b. Providing a list to Assistant Chief/Directors and section managers of records eligible to be destroyed.
  - c. Obtaining any required approvals for the destruction of eligible records.

- d. Maintaining a list of records that have been destroyed.
6. Ensure that confidential and other sensitive records are stored or maintained to protect the sensitive nature of the records.
7. Process subpoenas and requests for records as provided in the Subpoenas and Court Appearances, the Release of Records and the Patient Medical Record Security and Privacy policies.
8. Manage a document imaging or other process for bulky or rarely accessed records with long retention periods.
9. Establish rules regarding the inspection and copying of district records as reasonably necessary for the protection of such records, including:
  - a. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
  - b. Maintaining a schedule of fees for public records as allowed by law.
10. Act as the coordinator and liaison with the Arizona State Library in the management of the district records.

#### **4. MEMBERS' RESPONSIBILITY**

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

Members are responsible for ensuring that records in their control are maintained as provided in the records retention schedule.

#### **5. CAPTAINS' RESPONSIBILITY**

Captains at fire stations are responsible for the management of records at the fire station level. The Captains should ensure that all records at the fire stations are retained in accordance with this policy.

# Policy 801 – Release of Records

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## 1. PURPOSE AND SCOPE

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

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

## 2. POLICY

The Superstition Fire & Medical District is committed to providing public access to records consistent with the Arizona Public Records Law (ARS § 39-121 et seq.).

## 3. PROCESSING REQUESTS FOR PUBLIC RECORDS

Any member who receives a request for records shall route the request to the Custodian of Records or the authorized designee.

### 3.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following (ARS § 39-121.01):

1. Records shall be provided promptly to a requester and fees charged as allowed by law.
2. A requester may request to examine or be furnished copies, printouts or photographs during regular business hours or request that copies of records be mailed unless otherwise available on the district website.
  - a. When records are requested to be mailed, the requester shall pay in advance any copying and postage charges.
3. The District is not required to create records which do not exist.
4. When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
  - a. A copy of the redacted release should be maintained as evidence of what was actually released and should document the reasons for the redactions.
5. If a request is denied, the requester should be provided a written denial and the reason for the denial.
6. Access to a public record is deemed denied if the Custodian of Records fails to promptly respond to a request for production of a public record.

#### **4. RELEASE RESTRICTIONS**

Examples of records with release restrictions include:

1. Patient Care Reports (PCRs) (45 CFR 164.502; ARS § 12-2292; ARS § 36-2220) (see the Patient Medical Record Security and Privacy Policy).
2. Social Security numbers (42 USC § 405).
3. Ongoing arson investigations where release would hinder an investigation or interfere with official duties (ARS § 20-1902(E); ARS § 20-1904).
4. Information pertaining to a member's drug test or alcohol impairment test received through the Superstition Fire & Medical District testing program except as provided by ARS § 23-493.09.
5. Records where disclosure would invade privacy and that invasion outweighs the public's right to know.
6. Records where disclosure is exempt or prohibited pursuant to provisions of federal or state law, including, but not limited to, provisions of the Rules of Evidence relating to privilege.
7. Records that relate to archeological site information (ARS § 39-125).

#### **5. RELEASED RECORDS TO BE MARKED**

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

# Policy 802 – Subpoenas and Court Appearances

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for receiving, processing and responding to subpoenas to appear or to produce records or evidence. It will allow the District to cover any related work absences and keep the District informed about relevant legal matters.

## 2. POLICY

District members will respond appropriately to all subpoenas and any other court-ordered appearances.

## 3. RECEIPT OF SUBPOENAS

Only district members authorized to receive a subpoena on behalf of the District or any of its members may do so.

Subpoenas for records should be directed to the Custodian of Records or the authorized designee for processing.

### 3.1 SUBPOENAS OF RECORDS

The Custodian of Records and any authorized designees should receive training in proper intake and processing of subpoenas. Members not designated by the Custodian of Records and properly trained are not authorized to accept subpoenas for district records.

Subpoenas for records shall be date-stamped and logged.

The Custodian of Records will consult with the district privacy officer regarding any request for medical records. The Custodian of Records or the authorized designee will only produce the requested records as provided in this policy and the Patient Medical Record Security and Privacy Policy.

If the Custodian of Records determines that a subpoena involves a request for a confidential record or relates to pending litigation against the District, the request should be promptly brought to the attention of the Fire Chief and legal counsel for the District.

The District may be entitled to recoup reasonable costs incurred in production of business records in response to a subpoena. The Custodian of Records should provide a statement reflecting the assessment of these reasonable costs and require payment at the time subpoenaed records are delivered.

### 3.2 CIVIL SUBPOENAS INCLUDING DEPOSITIONS OR NOTICES TO APPEAR

Upon receipt of a civil subpoena, the Custodian of Records or other person authorized to receive a subpoena shall date-stamp and log the subpoena.

The Custodian of Records or other person authorized to receive a subpoena shall ensure timely delivery of the subpoena to the identified member, noting on the log the date and time it was accepted. The receiving member should acknowledge receipt by signing and dating the log.

No subpoena for a member of this district as a witness in a civil action should be accepted unless it is accompanied by the required fee as allowed by law for each day the member's appearance is required pursuant to the subpoena (RCP Rule 45).

Members shall notify their Battalion Chief of receipt of a subpoena. Members should contact the attorney issuing the subpoena to confirm the date and time of appearance or to confirm an on-call status. The member shall comply with all instructions on the subpoena and monitor the status of all required appearances to ensure compliance with judicial process. In the event a member will be unavailable to respond to a subpoena, the member shall promptly notify the attorney issuing the subpoena and the member's Battalion Chief.

Members who are deposed should request a copy of the transcript.

### 3.3 ON-CALL SUBPOENAS

Upon receipt of a subpoena and after contacting the issuing attorney, a member may make arrangements with the issuing attorney to be placed in an on-call status.

The subpoenaed member shall promptly notify his/her supervisor of the subpoena and any on-call status and make arrangements regarding any potential scheduling conflicts, potential overtime compensation or other follow-up required to coordinate on-call appearance status.

### 3.4 CRIMINAL SUBPOENAS

Upon receipt of a criminal subpoena related to district business, the member shall promptly notify the Battalion Chief of his/her appearance and contact legal counsel if he/she has any questions.

### 3.5 CIVIL SUBPOENAS UNRELATED TO OFFICIAL DISTRICT BUSINESS

Members properly served with valid subpoenas for civil matters unrelated to their district duties shall comply with the requirements of the subpoena. Members are not entitled to compensation from the District for any such appearance or deposition and arrangements for time off should be coordinated with their supervisor.

Employees subpoenaed to testify about non work-related matters shall be permitted to take time off to testify but are not entitled to receive wages. Employees may use vacation, personal leave or compensatory time off for the time they will be away from work.

## **4. RESPONSIBILITIES**

### **4.1 MEMBERS**

Members subpoenaed to appear for any district-related reason or who are subpoenaed to produce records or evidence shall:

1. Document the date, time and manner of receipt.
2. Promptly contact the Custodian of Records and provide the Custodian with a copy of the subpoena.
3. Make arrangements through the Custodian of Records to obtain any related reports or information.
4. Notify their supervisor of the subpoena.

Employees who are subpoenaed to testify about district-related matters shall receive their normal wages. Any witness fees provided to an on-duty employee shall be promptly transmitted to the District. Members shall coordinate any scheduled appearances with their Captain to ensure the efficient use of staffing to minimize the payment of overtime.

Members appearing in court or appearing for court-related functions such as depositions shall appear in uniform or business attire.

Any questions regarding this policy or its requirements shall be promptly directed to a supervisor or district legal counsel.

### **4.2 SUPERVISORS**

Supervisors should monitor the schedules of members who have been served subpoenas requiring their appearance to ensure appropriate shift coverage and compensation for the subpoenaed member.

Supervisors shall not intentionally adjust a member's duty schedule for the purpose of creating overtime.

## **5. TESTIFYING AGAINST THE INTEREST OF THE DISTRICT**

Any member who has been subpoenaed to testify, has agreed to testify or who anticipates testifying or providing information on behalf of, or at the request of, any party other than the state; any city, county or any of their officers; or agents or employees in which any of those entities or persons are parties to the litigation, will promptly notify his/her supervisor. The supervisor shall notify the Fire Chief, prosecuting attorney in a criminal case and the district's legal counsel, as may be indicated by the case.

This requirement includes:

1. Providing testimony or information for the defense in any criminal trial or proceeding.
2. Providing testimony or information for the plaintiff in a civil proceeding against any city, county or its officers, agents or employees.

3. Providing testimony or information on behalf of, or at the request of, any party other than any District official in any administrative proceeding, including, but not limited to, personnel and/or disciplinary matters.
4. No member will be retaliated against for testifying in any matter.

## **6. RECEIPT AND PROCESSING OF A SUMMONS**

Upon receipt of a summons and complaint in a matter related to district business, the member shall document the date, time and manner of receipt and promptly notify his/her supervisor and contact legal counsel for the District.

# Policy 803 – Patient Medical Record Security and Privacy

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## 1. PURPOSE AND SCOPE

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

- Health Insurance Portability and Accountability Act (HIPAA) (42 USC § 201 et seq.)
- Confidentiality of medical records (ARS § 12-2292)
- Confidentiality of Emergency Medical Services (EMS) patient records (ARS § 36-2220)

### 1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

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

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

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

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

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

## 2. POLICY

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

## 3. RESPONSIBILITIES

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

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

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

## 4. PRIVACY OFFICER

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

1. Identify who may have access to PPI and PHI.

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

## **5. PROCEDURE**

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

## **6. SECURITY**

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

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

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

### **6.1 ELECTRONIC PHI SECURITY**

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

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

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

PHI may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, Internet web posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure

network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic PHI traveling outside a secure network environment, via the Internet, requires encryption and authentication measures (45 CFR 164.312(e)).

## 6.2 HARD COPIES

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

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

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

## 7. PHI RECORD REQUESTS

The following procedures apply to PHI record requests:

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

## 7.1 803.7.1 PROHIBITED DISCLOSURES OF PHI AND PPI

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

1. PHI or PPI contained in email or other forms of written communication.
2. Sharing of PHI or PPI on any website, blog or other form of social or public media.
3. Verbal discussions.
4. The use of any imaging device capable of capturing and storing still or moving images, such as digital or other cameras, video cameras, cellular telephones with picture-taking or video-recording capability, or any other device with picture-taking or video-recording capability while engaged in patient care, while at the scene of a medical emergency or hospital, or at any time when such use could reasonably be expected to result in the inappropriate capture of PHI or PPI.

## 7.2 PERMITTED DISCLOSURES OF PHI AND PPI

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

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

## 7.3 REQUIRED DISCLOSURES

The District must disclose PHI when:

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

## 7.4 SUBPOENAS

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

1. A court order or subpoena signed (or stamped) by a judge that requires no additional assurances or notification to the individual whose records are requested
2. A subpoena or discovery order signed by an attorney which requires additional proof of service that written notification has been given to the individual whose records are requested. In such a case, the subpoena or discovery order must be accompanied by a declaration by the requesting party showing that reasonable efforts have been made to ensure that notice has been provided to the individual whose records are being requested, or that there is a qualified protective order. No records relating to the person named in the notice will be produced until the time to respond to the notice has lapsed and no objections to the production of the materials requested have been made. If written notification to the individual is not provided, the declaration must establish all of the following:
  - a. The requesting party has made a good faith effort to provide written notice to the individual.
  - b. The notice includes sufficient information about the litigation or proceeding for which the PHI is requested to allow the individual to raise an objection.
  - c. The time for the individual to raise objections to the court or tribunal has elapsed.
  - d. No objections were filed or all objections have been resolved.
  - e. In lieu of a declaration, records may be released if there is a court order or a stipulation by the parties to the litigation that both:
    - i. Prohibits the parties from using or disclosing the PHI for any purpose other than the litigation or proceeding for which such information was requested.
    - ii. Requires the return to the District or destruction of the PHI (including all copies made) at the end of the litigation or proceeding.

## 7.5 RELEASE OF PHI TO LAW ENFORCEMENT

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

1. In response to a law enforcement officer who completes the district's release of PHI to law enforcement form and requires the PHI (45 CFR 164.512(f)(1)):
  - a. To report certain types of wounds or other physical injuries.
  - b. In compliance with a court order or court-ordered warrant, subpoena or summons, a grand jury subpoena or an administrative request.

2. In response to a law enforcement officer who completes the district's release of PHI to law enforcement form for the purpose of identifying or locating a suspect, fugitive, material witness or missing person. In such a case, the District may only disclose the following PHI (45 CFR 164.512(f)):
  - a. Name and address
  - b. Date and place of birth
  - c. Social Security number
  - d. ABO blood type and Rh factor
  - e. The character and extent of injuries
  - f. Date and time of treatment
  - g. Date and time of death, if applicable
  - h. A description of distinguishing physical characteristics

## **8. INDIVIDUAL RIGHTS**

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

1. The right to request restrictions on certain uses and disclosures of PHI (45 CFR 164.522(a))
2. The right to receive their PHI confidentially (45 CFR 164.522(b))
3. The right to inspect and copy their PHI (45 CFR 164.524)
4. The right to request amendments to their PHI (45 CFR 164.526)
5. The right to receive an account of disclosures of PHI (45 CFR 164.528)

### **8.1 PHI AMENDMENT REQUESTS**

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

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

1. Was not created by the District.
2. Is not part of the designated record.
3. Is not available for inspection by the requestor pursuant to 45 CFR 164.524.

4. Is accurate and complete.

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

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

# Policy 804 – HIPPA & Transportation Billing Compliance

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Created: 12/18/2024

## 1. PURPOSE AND SCOPE

The purpose of this policy is to outline a process to ensure that no employee working for, or contractor doing business with, Superstition Fire & Medical District (SFMD) is on the Office of Inspector General's List of Excluded Individuals/Entities.

## 5. POLICY

In accordance with applicable federal, state, and local law, SFMD will not employ or do business with individuals or entities who have been convicted of health care fraud or listed by a federal agency as excluded, debarred or otherwise ineligible to participate in federal health care programs.

## 6. PROCEDURE

All individuals seeking to work for SFMD and entities seeking to contract with SFMD, are required, upon notice, to immediately disclose exclusion from a federal health care program, debarment by a federal agency, any criminal conviction, and any civil monetary penalty assessed against the individual or entity for conduct involving a federal health care program.

No individual who is excluded from a federal health care program is permitted to work for SFMD in any capacity that directly or indirectly involves the provision of service payable by a federal health care program. This includes, without limitation, field personnel, billers, coders, and administrative and management personnel.

Human Resources will screen all employees and individuals seeking to work for SFMD, including volunteers and entities seeking to contract with SFMD against the LEIE at intervals based on the database being updated, as well as prior to making an employment or contract decision by taking the following steps:

1. Utilize the Office of Inspector General's List of Excluded Individuals/Entities (LEIE) to determine if an individual or entity has been excluded from participation in federal health care programs. For individuals, both current and all prior legal names will be checked.
2. Check the LEIE upon hiring and onboarding and as the LEIE database is updated to determine whether any personnel or entities with which SFMD contracts with have been excluded from a federal health care program.
3. Request contractors to check the LEIE monthly to determine whether any of their personnel have been excluded from a federal health care program and to alert us promptly if an excluded individual is involved in any way with providing services to SFMD, directly or indirectly, under the contract.



# Chapter 9: Safety

# Policy 900 – Illness and Injury Prevention

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of injury and illness for members of the Superstition Fire & Medical District, in accordance with the requirements of the Arizona Division of Occupational Safety and Health (ADOSH) (29 CFR 1910.11 et seq.; AAC § R20-5-602).

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

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

## 2. POLICY

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

## 3. ILLNESS AND INJURY PREVENTION PROGRAM PLAN

The Battalion Chief assigned to Health and Wellness is the designated Health and Safety Officer (HSO). The HSO is responsible for developing an IIPP.

The HSO will provide oversight for the Health and Wellness Committee, which will:

1. Meet regularly.
2. Prepare a written record of safety and health committee meetings.
3. Review accidents and exposures.
4. Make suggestions to command staff for the prevention of future incidents.
5. Review alleged hazardous conditions.
6. Submit recommendations to assist in the evaluation of member safety suggestions.
7. Assess the effectiveness of efforts made by the District to meet standards.
8. The HSO must conduct and document a review of the IIPP at least annually.

#### **4. BATTALION SAFETY OFFICERS**

Battalion Safety Officer responsibilities include but are not limited to:

1. Ensuring member compliance with injury and illness prevention guidelines and answering questions from members about this policy.
2. Counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors should reiterate safety instructions given by the Battalion Safety Officers.
3. Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
4. Completing the required forms and reports relating to injury and illness prevention. (e) Notifying the HSO when:
  - a. New, previously unidentified hazards are recognized.
  - b. Occupational injuries and illnesses occur.
  - c. Workplace conditions warrant an inspection.

#### **5. HAZARDS**

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

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

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

#### **6. RECORDS**

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

# Policy 901 – Arizona Division of Occupational Safety and Health Inspections

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## 1. PURPOSE AND SCOPE

This policy establishes guidelines and responsibilities for Superstition Fire & Medical District members to follow in the event that an Arizona Division of Occupational Safety and Health (ADOSH) inspector requests access to district property or work operations (AAC § R20-5-610).

This policy does not address those inspections requested by the Superstition Fire & Medical District as part of a consultation service by ADOSH.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District for the Fire Chief or the authorized designee to designate one or more district representatives who will be responsible for facilitating an ADOSH inspection. An adequate number of representatives shall be designated to accommodate the needs of the ADOSH inspector without excessive delays. Designated representatives shall make every reasonable effort to promptly meet with the ADOSH inspector once he/she has arrived (AAC § R20-5-615).

District members should work cooperatively with any ADOSH inspector to provide access to all necessary areas, equipment and records to facilitate a cohesive inspection process. Failure on the part of the District to begin the inspection in a timely manner could result in the ADOSH inspector obtaining an inspection warrant to enter district property. This could unnecessarily create an adversarial relationship and should be avoided if at all possible.

## 3. PROCEDURE

The ADOSH inspections may be unannounced. Typically inspections occur when there has been a serious accident, serious injury or occupational fatality; when a member has charged that a serious safety violation exists; or at a work site where an imminent danger has been identified (AAC § R20-5-613).

Upon entering the district work site, the inspector will present his/her identification and will ask to meet with the district representative. There will usually be an initial meeting during which the inspector will (AAC § R20-5-614):

- Explain the nature and scope of the inspection.
- Request that a member/representative accompany the inspector.
- Ask to review appropriate safety records, plans and documentation.

The ADOSH inspectors are, by law, permitted to interview members in private, take photographs, conduct tests and collect environmental samples (AAC § R20-5-614).

District representatives should make reasonable accommodations to provide inspectors access to available members and materials required to complete the inspection. Any statements made to inspectors are admissible in judicial hearings. Questions of a sensitive nature or to which the member is unsure of how to respond may be referred to the person at the District who is the subject matter expert on the topic.

At the conclusion of the inspection, the ADOSH inspector will hold a closing meeting with the district representative to discuss any alleged safety standard violations and any requirements for abatement (AAC § R20-5-614).

Any time there is an ADOSH inspection, violation and/or citation, the Fire Chief shall ensure that notifications are made to the district's Health and Safety Officer, risk manager and legal counsel, and that the District conducts an appropriate internal investigation and adequately addresses all ADOSH findings.

# Policy 902 – Arizona Division of Occupational Safety and Health Notification of Illness, Injury or Death

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the District to notify the Arizona Division of Occupational Safety and Health (ADOSH) of employment-related illnesses, injuries or deaths of any district members (29 CFR 1904.39; AAC § R20-5-629).

## 2. POLICY

The District will comply with ADOSH reporting requirements in the event of a serious illness, injury or death.

## 3. MANDATORY NOTIFICATION

The ADOSH shall be notified within eight hours after the death of any member as a result of a work-related incident and within 24 hours of an in-patient hospitalization of one or more members or a member's amputation or loss of an eye, as a result of a work-related incident (29 CFR 1904.39; AAC § R20-5-629). Notification should be by phone or by electronic submission of the ADOSH Serious Event Reporting Form.

## 4. REQUIRED INFORMATION

The ADOSH requires the information necessary to complete the ADOSH Serious Event Reporting Form, if available, to be submitted with the notification. The information required for the form includes:

1. Information about the location where the incident occurred.
2. Information about the incident.
3. Employer Information.
4. Information about persons whom ADOSH can contact.
5. Information for each of the involved members, including if there was a fatality, hospitalization, amputation or loss of an eye.

# Policy 903 – Communicable Diseases

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## 1. PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of district members contracting and/or spreading communicable diseases.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Superstition Fire & Medical District (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

## 2. POLICY

The Superstition Fire & Medical District is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

## 3. EXPOSURE CONTROL OFFICER

The Health and Safety Officer shall serve as the district's Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

1. Exposure-prevention and decontamination procedures.
2. Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
3. The provision that district members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.

4. Compliance with all relevant laws or regulations related to communicable diseases, including:
  - a. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
  - b. Exposure control precautions in 29 CFR 1910.1030 (AAC § R20-5-602).
  - c. Procedures for post-exposure reporting, testing and investigation (AAC § R20-5-164).
  - d. Reporting contagious diseases to the appropriate board of health or health department (ARS § 36-621).

The ECO should also act as the liaison with the Arizona Division of Occupational Safety and Health (ADOSH) and may request voluntary compliance inspections. The ECO shall periodically, at a minimum annually, review and update the exposure control plan and review implementation of the plan (29 CFR 1910.1030; AAC § R20-5-602).

#### **4. EXPOSURE PREVENTION AND MITIGATION**

##### **4.1 GENERAL PRECAUTIONS**

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; AAC § R20-5-602):

1. Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or district vehicle, as applicable.
2. Wearing district-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
3. Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
4. Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
5. Using an appropriate barrier device when providing CPR.
6. Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
7. Decontaminating non-disposable equipment (e.g., laryngoscope, firefighting gloves, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure.
  - a. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/ decontaminated appropriately.
8. Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

9. Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
10. Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

## 4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; AAC § R20-5-602).

## 5. POST-EXPOSURE

### 5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

1. Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
2. Obtain medical attention as appropriate.
3. Notify a supervisor as soon as practicable.

### 5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; AAC § R20-5-602):

1. Name and Social Security number of the members exposed
2. Date, incident number and time of the incident
3. Location of the incident
4. Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
5. Work being done during exposure
6. How the incident occurred or was caused
7. PPE in use at the time of the incident
8. Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply

(see the Occupational Disease and Work-Related Injury Reporting and Illness and Injury Prevention Program policies).

### 5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

District members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (29 CFR 1910.1030; AAC § R20-5-602).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

1. Whether the member has been informed of the results of the evaluation.
2. Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

### 5.4 COUNSELING

The District shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; AAC § R20-5-602).

### 5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

1. Obtaining consent from the individual.
2. Seeking a court order pursuant to ARS § 13-1210.
3. Seeking HIV testing pursuant to ARS § 36-663.
4. Seeking disclosure from a health care provider with communicable disease information under ARS § 36-665.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the District Counsel to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

## **6. CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (ARS § 36-664).

# Policy 904 – High-Visibility Safety Vests

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to describe the guidelines to protect members who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment and to comply with applicable safety regulations including requirements contained in the federal Manual on Uniform Traffic Control Devices for Streets and Highways pursuant to 23 CFR 655.601.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members shall wear class II high-visibility safety vests in addition to required personal protective equipment (PPE) whenever the emergency scene is located on or near a roadway where members are subject to the hazards of moving traffic, construction vehicles or disaster recovery equipment. Members who are working on roadways and are not directly exposed to fire, flame, excessive heat or hazardous materials are expected to wear a high-visibility vest. This includes pump operators, support personnel and command officers. When it is anticipated that the emergency scene will be located on a roadway, high-visibility safety vests should be donned along with other appropriate PPE at the time of dispatch.

High-visibility vests should also be worn any time a member or a supervisor believes increased visibility would improve safety or efficiency.

## 3. PROCEDURE

Although the high-visibility safety vests that are currently available are fire resistant, they do not meet the same fire resistant standards set by the National Fire Protection Association (NFPA). Therefore, members who are directly engaged in fire suppression activities on or near roadways should not wear the vest over their PPE. Once the situation is under control, personnel can then don a vest for the remainder of the incident.

Should the need arise, other district personnel on-scene could easily remove (tear-away) the vest in reaction to unusual circumstances or to render assistance with direct firefighting.

### 3.1 ASSIGNMENT OF HIGH-VISIBILITY SAFETY VESTS

High-visibility vests shall be assigned to members or apparatus as follows:

1. Vests will be assigned to each emergency response apparatus for each member.
2. Vests will be assigned to each ambulance unit for each member (one additional for a paramedic trainee).
3. Two vests will be assigned to each Battalion Chief.

4. One vest each will be assigned to the Fire Chief, Assistant Chiefs, Assistant Chief/ Directors, safety officers, investigators and the Public Information Officer.
5. One vest will be assigned to each support vehicle used by district members who may be required to work on or near roadways.

### 3.2 STORAGE AND CARE

High-visibility safety vests are part of the standard issue PPE and should be stowed so they are readily available for immediate use. Should cleaning be necessary for routine soiling, follow the manufacturer's care instructions or the guidelines in the Personal Protective Equipment Policy.

# Policy 905 – Ballistic Armor

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## 1. PURPOSE AND SCOPE

The Superstition Fire & Medical District is committed to reducing or eliminating occupational risks and hazards whenever possible in an effort to improve member safety. The purpose of this policy is to identify ballistic armor as a practical safety measure that should be used to reduce some of the occupational risks and hazards confronting members.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide ballistic armor to district members who may be exposed to any of the occupational risks and hazards the armor is designed to protect against. The Superstition Fire & Medical District authorizes members to utilize district- issued ballistic armor whenever members believe it may be prudent or appropriate to do so. It is not the intent of the District to have members utilize ballistic armor on a routine basis, but rather to have ballistic armor available to personnel for situations that may be violent, potentially violent or otherwise a risk to safety that the use of ballistic armor could reduce or eliminate.

A supervisor may mandate the use of ballistic armor in any situation or circumstance that he/she feels may warrant the use of armor.

For guidance on violent or hostile events, refer to Active Shooter/Hostile Event SOG.

# Policy 906 – Apparatus/Vehicle Backing

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to help members avoid the dangers inherent to vehicle backing operations and reduce the high incidence of firefighter injuries and fatalities.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Apparatus** - Any district vehicle that is designed and equipped to support firefighting and rescue operations, including those equipped with an aerial ladder, elevating platform or water tower that may position members, handle materials, provide continuous egress or discharge water at positions elevated from the ground.

**Driver** - The member charged with driving the vehicle or apparatus. This member is in control of the vehicle or apparatus and therefore is responsible for its movement.

**Officer** - The member responsible for directing the operation of the vehicle or apparatus and its personnel.

**Spotter** - A member designated to direct the driver while backing up the vehicle or apparatus. This position may also be referred to as a backup person.

**Vehicle** - Any automobile, emergency vehicle, staff vehicle or light utility vehicle owned or leased by the Superstition Fire & Medical District and used for district business.

## 2. POLICY

To promote firefighter safety, it is the policy of the Superstition Fire & Medical District that drivers, when feasible, will drive around the block rather than backing an apparatus or vehicle. If backing the apparatus or vehicle is necessary, the driver shall utilize spotters to avoid any potential danger. Backing the apparatus or vehicle without the aid of a spotter should only take place in unique circumstances. Hose lines shall be picked up by driving forward over the hose rather than backing.

## 3. OFFICER AND DRIVER RESPONSIBILITIES

Firefighter safety is extremely important. Backing operations are the most common cause of fire service vehicle collisions. Training and awareness of the potential dangers of such operations should reduce the incidence of firefighter injuries and fatalities.

Before backing an apparatus or vehicle, all potential impediments should be evaluated to ensure that the area is clear of obstructions.

The officer, or the driver if there is no officer present, shall deploy spotters when backing up or as necessary to allow the safe movement of an apparatus or vehicle.

The driver should not move the vehicle or apparatus until the spotters are in place.

If the driver loses sight of the spotter, the driver shall stop the apparatus or vehicle until the spotter is back in sight.

In unique circumstances where a spotter is not available and the apparatus or vehicle must be moved, the driver shall perform a complete walk-around of the vehicle or apparatus to identify any potential hazards. The driver should back the apparatus or vehicle, attempting to use minimal reverse motion prior to being able to proceed forward. In the event that the apparatus or vehicle must be backed repeatedly or for more than a short distance, the driver should repeat the walk-around as many times as necessary.

If at any time the driver feels that the situation is not safe, he/she should stop the vehicle or apparatus until the situation is corrected. This may mean getting out and physically walking around the apparatus or vehicle or in the direction the apparatus or vehicle is headed.

#### **4. SPOTTER RESPONSIBILITIES**

Spotter responsibilities include, but are not limited to:

1. Be constantly aware of the surroundings while performing this function.
2. Look and listen for other vehicles and people that may enter the path of the vehicle or apparatus that is backing up.
3. Stop any oncoming hazard or stop the vehicle or apparatus being backed up.
4. Be aware of objects in the path of the vehicle or apparatus and direct the driver safely around them.
5. Be attentive to ground-level obstructions as well as overhead hazards (e.g., tree branches, wires, signs, canopies, ladders).
6. Maintain visual contact with the driver at all times.
7. Be in the line-of-sight of the mirrors of the vehicle or apparatus at all times.
8. Illuminate him/herself at night with a rear spotlight or flashlight, to remain visible to the driver.
9. Use headsets or portable radios when applicable.
10. Use hand signals to direct the driver. Hand signals should be somewhat exaggerated for clear understanding by the driver.
11. Stand on the ground, never on the apparatus or vehicle.
12. Practice skills as time permits.

# Policy 907 – Heat Illness Prevention Program

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to promote member health and safety by establishing a heat illness prevention program requiring member participation and implementing an effective training program (see the Heat Illness Prevention Training Policy).

The intent is to establish methods to lower the risk of illness or injury due to exposure to high-heat working conditions and to establish fireground rehabilitation guidelines to ensure that the physical and mental condition of members does not deteriorate to the point that it negatively affects their safety or emergency operations.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to require member participation in the heat illness prevention program and the accompanying training.

## 3. REQUIREMENTS

This heat illness prevention program shall apply to all emergency operations and training exercises where personnel are exposed to heavy physical exertion and/or extreme heat conditions.

A rehabilitation group will be established by the Incident Commander (IC) when conditions dictate that rest and rehabilitation are needed at an emergency scene. Rehabilitation considerations should include, but are not limited to:

- **Length of the operation** - The two-bottle rule should generally be observed. After the use of two self-contained breathing apparatus (SCBA) air bottles (or 30 to 60 minutes of strenuous activity), a firefighter should be evaluated in the rehabilitation area. Rehabilitation should generally be considered for second-alarm fires or greater. Prolonged motor vehicle incidents and heavy rescues in hot weather are other examples.
- **Amount of exertion** - Captains should maintain an awareness of the exertion/ exhaustion level of crews. The degree of exertion can vary greatly in each incident. Individuals who are under-hydrated or are on the first day back after any gastrointestinal illness are particularly susceptible to early onset of heat illness.
- **Adverse climatic conditions** - Temperatures in excess of 90 degrees have historically produced early onset of heat exhaustion and/or collapse. Rehabilitation efforts should generally be established when ambient air temperature is over 85 degrees and there is a potential for extended operations. High humidity also plays a role and should be considered.
- **Communication** - It may be difficult for the IC to assess the exertion or exhaustion level of the firefighters. If a firefighter needs rest, he/she is responsible for communicating his/her needs to a

supervisor. If one individual is experiencing heat exhaustion, supervisors should be aware that there may be additional firefighters in need of rehabilitation.

It is the responsibility of the IC to make an early determination of situations that may require a rehabilitation group and institute the appropriate rehabilitation efforts accordingly.

It is the responsibility of every Captain to monitor the condition of all firefighters for signs of heat stress or fatigue. When these conditions are noted, the officer shall advise the IC or assigned Incident Safety Officer and request assignment of the company to the rehabilitation group.

It is the responsibility of all personnel operating at an incident to report to their immediate supervisor if they are feeling the strain of overexertion. There is a point at which even the most physically fit individual becomes a liability rather than an asset due to intense physical exertion in turnout clothing. Taking 10 to 20 minutes in rehabilitation to cool down and rehydrate can prevent illness and injury.

For more information on Heat Illness Prevention, see the following Volume II SOG's:

- Heat Stress Management
- Rehab Sector

# Policy 908 – Respiratory Protection Program

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## 1. PURPOSE AND SCOPE

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

This policy applies to all members whose job duties could require them to use respiratory protection, due to exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards (29 CFR 1910.134; AAC § R20-5-602).

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Immediately dangerous to life or health (IDLH)** - Any atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. Interior atmospheric conditions at structure fires beyond the incipient stage are considered IDLH, as are a variety of rescue types (29 CFR 1910.134; AAC § R20-5-602).

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

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to require members to use the proper level of respiratory protection, as described below, when working in hazardous conditions. The level of protection may be increased or decreased by a Captain or Incident Commander (IC) based upon their evaluation of the hazard. Members shall not be required or allowed to enter or work in hazardous conditions without proper respiratory protection and shall be trained in the proper use and care of the devices.

## 3. RESPIRATORY PROTECTION PROGRAM ADMINISTRATOR

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

The administrator shall (29 CFR 1910.134; AAC § R20-5-602):

1. Maintain, implement, and administer a written respiratory protection program.
2. Ensure the written respiratory protection program and related procedures are followed and appropriate.

3. Ensure the procedures and written respiratory protection program address relevant mandates.
4. Ensure selected respirators continue to effectively protect members.
5. Have supervisors periodically monitor member respirator use to make sure members are using them properly.
6. Regularly ask members who are required to use respirators for their input on program effectiveness and whether they have problems with the following:
  - a. Respirator fit during use
  - b. Any effects of respirator use on work performance
  - c. Respirators being appropriate for the hazards encountered
  - d. Proper use under current worksite conditions
  - e. Proper maintenance
7. Ensure the District covers the costs associated with respirators, medical evaluations, fit testing, training, maintenance, travel costs, and wages, as applicable.
8. Provide direction for respirator selection.
9. Require medical evaluations for members who use respiratory protection as set forth in 29 CFR 1910.134.

#### **4. USE OF RESPIRATORY PROTECTION**

Members exposed to harmful environments in the course of their assigned activities shall use respiratory protection devices.

Members using respiratory protection shall ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function (29 CFR 1910.134; AAC § R20-5-602).

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

For all tight-fitting respirators, members shall perform a user seal check each time they put on the respirators, using the procedures in 29 CFR 1910.134, App. B-1 or other district-approved procedures recommended by the respirator manufacturer.

Captains shall monitor members using respiratory protection and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the Captain shall reevaluate the continued effectiveness of the respirator and shall direct the member to leave the respirator use area when:

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

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

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

Self-contained breathing apparatus (SCBA) are atmosphere-supplying respirators for which the breathing air source is designed to be carried by the user.

Members shall use SCBA when entering an atmosphere that may be IDLH (29 CFR 1910.134; AAC § R20-5-602). These situations may include, but are not limited to:

1. Entering an area that may be oxygen deficient such as confined spaces, trenches, unventilated structures or septic tanks.
2. Engaging in any firefighting operations, with the possible exception of a vegetation fire.
3. Entering the hot zone of a hazardous materials incident.
4. Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
5. Any time use is specified by the Captain or IC.

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

#### 4.2 USE OF FULL-FACE RESPIRATORS

Full-face respirators are respirators that fit over the full face to protect the face and eyes from contaminants at the same time they filter air (29 CFR 1910.134; AAC § R20-5-602).

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

1. Hazardous materials incidents where members are not working in the hot zone.
2. Overhaul operations where the structure has been fully ventilated and the atmosphere has been tested for unsafe levels of carbon monoxide and adequate levels of oxygen.
3. Incidents involving weapons of mass destruction where members are outside of the hot zone and not directly exposed to any known hazard.

4. Certain emergency medical responses where additional protection is warranted.

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

#### 4.3 USE OF CARTRIDGE RESPIRATORS

Cartridge respirators are a type of air-purifying respirator. They may be fitted with mechanical pre- filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. The correct cartridge must be selected prior to use (29 CFR 1910.134; AAC § R20-5-602).

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

Cartridge respirator filters shall be replaced whenever:

1. The wearer begins to smell, taste or be irritated by a contaminant.
2. The wearer begins to experience difficulty breathing due to filter loading.
3. The cartridges or filters become wet.
4. The expiration date on the cartridges or canisters has been reached.

#### 4.4 USE OF N95 MEDICAL MASKS

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

#### 4.5 TRAINING

Members should not use respirators unless they have completed the mandatory training requirements for the selected device (see the Respiratory Protection Training Policy).

## **5. EQUIPMENT ACQUISITION AND SPECIFICATIONS**

### **5.1 SCBA REQUIREMENTS**

Superstition Fire & Medical District's SCBA shall meet the standards found in the most current National Fire Protection Association (NFPA) publication and approved for use by NIOSH (29 CFR 1910.134; AAC § R20-5-602).

The Superstition Fire & Medical District shall use only the respirator manufacturer's NIOSH- approved breathing-gas containers, marked and maintained in accordance with the quality assurance provisions of the NIOSH approval for the SCBA as issued in accordance with the NIOSH respirator certification standard at 42 CFR 84.1 et seq.

### **5.2 COMPRESSED BREATHING AIR**

Compressed breathing air used in SCBA should meet at least the requirements for Grade D breathing air as described in the American National Standards Institute (ANSI) Compressed Gas Association Commodity Specification for Air (G-7.1-1989) (29 CFR 1910.134; AAC § R20-5-602).

## **6. RESPIRATOR FIT TESTING**

Fit tests are used to qualitatively or quantitatively evaluate the fit of a respirator on an individual. Each new member shall be fit tested before being permitted to use SCBA in a hazardous atmosphere. Fit tests may only be administered by persons determined to be qualified by the program administrator (29 CFR 1910.134; AAC § R20-5-602).

After initial testing, fit testing shall be repeated:

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

### **6.1 RESPIRATOR FIT TESTING PROCEDURES**

Fit testing is to be done only in a negative-pressure mode. If the facepiece is modified for fit testing, the modification shall not affect the normal fit of the device. Such modified devices shall only be used for fit testing and not for field use (29 CFR 1910.134; AAC § R20-5-602).

### **6.2 FIT TESTING RECORDS**

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

Current fit test records shall be retained as required by the district records retention schedule, but in all cases at least until the next fit test is administered. Fit test records shall include (29 CFR 1910.134; AAC § R20-5-602):

1. Name of person tested.
2. Test date.
3. Type of fit test performed.
4. Description (type, manufacturer, model, style and size) of the respirator tested.
5. Results of fit tests (e.g., quantitative fit tests should include the overall fit factor and a print out or other recording of the test).
6. The written guidelines for the respirator fit testing program, including pass/fail criteria.
7. Instrumentation or equipment used for the test.
8. Name or identification of test operator.

## **7. RESPIRATOR MEDICAL EVALUATION QUESTIONNAIRE**

All members who are required to use respiratory protection must complete a medical evaluation questionnaire upon initial fit testing and annually thereafter as well as if any of the following conditions arise between annual tests (29 CFR 1910.134; AAC § R20-5-602):

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

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

The Training Officer shall be responsible for maintaining records of all respirator medical evaluation questionnaires and any subsequent physical examination results.

## **8. SCBA INSPECTION, MAINTENANCE AND STORAGE**

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

1. All alarm devices on the SCBA should be tested for proper operation.
2. Any SCBA or respirator which is not operating properly or is below district standard air volume shall be taken out of service immediately until the problem is remedied.
3. Rubber facepiece:
  - a. Excessive dirt
  - b. Cracks, tears, holes
  - c. Distortion from improper storage
  - d. Cracked, loose or scratched lenses (full facepiece)
  - e. Broken or missing mounting clips
4. Head straps:
  - a. Breaks or tears
  - b. Loss of elasticity
  - c. Broken or malfunctioning buckles or attachments
  - d. Excessively worn serrations of the head harness which might allow the facepiece to slip
5. Inhalation and exhalation valves:
  - a. Detergent residue, dust particles or dirt on the valve seal
  - b. Cracks, tears or distortion in the valve material or valve seal
  - c. Missing or defective valve covers
6. Filter elements:
  - a. Proper filter for the hazard
  - b. Approved designation (NIOSH)
  - c. Missing or worn gaskets
  - d. Worn thread
  - e. Cracks or dents in filter housing

## 8.1 MAINTENANCE, INSPECTION AND ANNUAL SERVICE

Members should thoroughly clean and sanitize all SCBA and respirators after each use (29 CFR 1910.134; AAC § R20-5-602).

Respirators may be washed with mild detergent and warm water using a brush, followed by a thorough rinsing with fresh water and drying in a contaminant-free location. Sanitizing of respirators is performed with cotton swabs and/or isopropyl alcohol pads.

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

Every SCBA shall be inspected monthly by the District and serviced on an annual basis by individuals who have been trained and certified by the SCBA manufacturer to perform such annual servicing (29 CFR 1910.134; AAC § R20-5-602). SCBA bottles shall be hydrostatically tested pursuant to applicable federal regulations, state standards and manufacturer recommendations.

All maintenance and inspection mandates of 29 CFR 1910.134 shall apply.

## 8.2 STORAGE

Respirators in storage shall be protected against (29 CFR 1910.134; AAC § R20-5-602):

1. Dust
2. Sunlight
3. Heat
4. Extreme cold
5. Excessive moisture
6. Damaging chemicals

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

All filters, cartridges and canisters shall be properly labeled and color-coded with NIOSH approval labels. Labels shall not be removed and must remain legible (29 CFR 1910.134; AAC § R20-5-602).

## 8.3 FLOW TESTING

The District shall conduct annual flow testing on all SCBA. A flow test, also known as a performance test, ensures that the SCBA is performing to the manufacturer's specifications. Unlike basic inspections and functional testing, flow testing requires specialized equipment. The District shall use NFPA standards or the SCBA manufacturer's requirements for flow testing, whichever is more stringent (29 CFR 1910.134; AAC § R20-5-602).

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

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

## **9. EXPOSURES**

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

1. Difficulty breathing.
2. Dizziness, headache or other distress symptoms.
3. A sense of irritation.
4. A smell or taste of contaminants.

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

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

# Policy 910 – Health and Safety Officer (HSO)

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the minimum qualifications for, and specify the duties and responsibilities of, the Health and Safety Officer (HSO).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that the HSO will be appointed by the Fire Chief or the authorized designee, and shall be responsible for the duties described in this policy and other duties as assigned. When the HSO is unavailable, the Fire Chief or the authorized designee shall identify a replacement.

## 3. QUALIFICATIONS

The district's HSO should be a member with qualifications and training that include:

1. Knowledge of federal, state and local laws regarding occupational health and safety applicable to the fire service.
2. Knowledge of the health and physical fitness factors unique to the fire service.
3. Knowledge of health and safety hazards involved in firefighting and related activities.
4. Experience in fire suppression, Emergency Medical Services (EMS) and instruction.
5. Familiarity with the operation of the district's apparatus and equipment, including emergency communications equipment.
6. Management skills appropriate to the operation of a Health and Safety program.
7. The physical capability to conduct operations at an incident scene.
8. The following certifications and courses:
  - a. Fire Instructor I (NFPA Instructor I)
  - b. NFPA Instructor II
  - c. NFPA Fire Officer I
  - d. Training program management
  - e. Incident Safety Officer
  - f. Health and Safety Officer

#### **4. ADMINISTRATIVE RESPONSIBILITIES**

The HSO's administrative responsibilities shall include, but are not limited to:

1. Developing and maintaining the Illness and Injury Prevention Program (IIPP) and general district safety standards, and serving as the chair of the Health and Safety Committee (see the Illness and Injury Prevention Program Policy).
2. Ensuring that health and safety regulations are followed and that any violations or deficiencies are immediately corrected and reported to the Fire Chief or the authorized designee.
3. Ensuring that information provided to the Fire Chief or the authorized designee involving safety issues is also provided to the Health and Safety Committee for review.
4. Conducting regular safety inspections.
5. Serving as a resource for district officers regarding health and safety matters.
6. Identifying, documenting and notifying members of workplace safety hazards.
7. Researching, identifying and recommending appropriate safety equipment and personal protective equipment (PPE).
8. Coordinating with the Training Officer for the development and implementation of health and safety training topics.
9. Providing safety supervision at training activities when requested.
10. Developing and distributing safety information to members.
11. Ensuring that accidents, exposures and injuries are thoroughly investigated.
12. Developing and maintaining accident, injury and exposure statistics, reporting on trends and making recommendations to prevent a reoccurrence.
13. Ensuring accidents are investigated and procedures are in place so that investigations will be handled appropriately.

#### **5. RESPONSE DUTIES**

Whenever available, the HSO will respond to the following incidents and assume the position of Incident Safety Officer to monitor scene safety and enforce appropriate health and safety practices:

1. Working structure fires
2. Greater alarm assignments
3. Hazardous materials (HAZMAT) incidents
4. Rescue response incidents, including trench, confined space, high angle, structural collapse and water rescues
5. Serious injury or death of an on-duty member

6. Injuries to third parties that may result in hospitalization
7. Upon the request of an Incident Commander due to special or unusual circumstances

## **6. HEALTH AND SAFETY INCIDENT REVIEW**

The HSO should review health and safety incident reports and ensure copies are forwarded to the Health and Safety Committee (see the Illness and Injury Prevention Program Policy).

# Policy 911 – Vehicle Seat Belts

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure that all members of the District wear seat belts while operating or riding in district vehicles or privately owned vehicles while conducting district business. The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision (ARS § 28-909).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members shall wear properly adjusted safety restraints when operating or positioned in any vehicle owned, leased or rented by this district, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all occupants, including any non-members, are properly restrained.

## 3. INOPERABLE SEAT BELTS

No person shall operate district vehicles in which the seat belt in the driver's position is inoperable. No person shall be transported in a seating position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle seat belts, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Fire Chief.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

# Policy 912 – Fire Station Safety

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish safety procedures for the Superstition Fire & Medical District members to follow, with the intent of reducing or eliminating workplace injuries or illnesses to both members and the public.

This policy does not repeat procedures already covered in the Communicable Diseases Policy that relate to fire station safety.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members should be involved in daily activities that are designed to provide a safe and healthy workplace and reduce or eliminate injuries or illnesses, both in the field and in the fire station. This policy addresses safety activities in the fire station. All members are expected to follow the procedures outlined in the policy, for the safety of themselves, other members and any visitors to the fire station. Safety practices specific to incident type or task are addressed in other policies.

## 3. PROCEDURE

For the safety of all occupants, the on-duty Captain at each fire station is responsible for ensuring the following procedures are applied to activities conducted in the fire station:

1. Personal protective equipment (PPE)
  - a. Use adequate eye and face protection when there is a risk of eye injuries, such as punctures, abrasions, contusions or burns as a result of contact with flying particles, hazardous substances or projections. This includes, but is not limited to, working with grinders, drills, saws, welding equipment, mowers, edgers and while working under vehicles.
  - b. Use hand protection when the work involves exposure to materials that are likely to cause cuts, burns or exposure to chemicals (e.g., working with trimmers, pruners, other tools).
  - c. Wear hearing protection in compliance with the Hearing Conservation and Noise Control Training Policy.
2. Housekeeping and personal hygiene
  - a. Maintain all rooms, kitchens, offices, hallways, stairways, storage rooms and apparatus rooms in a clean, orderly and sanitary condition.
  - b. Clean and repair the source of water leaks quickly to avoid mold growth and report to facilities as needed.

- c. Smoking is prohibited in the building or near any entrance, exit, window or ventilation system, as provided in the Smoking and Tobacco Use Policy (ARS § 36-601.01).
- d. Avoid using compressed air to blow dirt, chips or dust from clothing while it is being worn.
- e. Maintain cooking appliances and eating utensils in good working order.
- f. Clean kitchen hoods and vents at least monthly. Ensure the hood light is installed and functioning.
- g. Post signs in all restrooms reminding employees/visitors to wash their hands.

### 3. Cooking

- a. Use caution while cutting food with a kitchen knife. Be sure the item is secure on a flat surface before attempting to cut it.
- b. Use potholders to avoid burns when removing hot items from the oven and/or stovetop.
- c. Do not let pot handles extend over the counter.

### 4. Safe lifting

- a. Store heavy or awkward objects at approximately waist level to prevent unnecessary lifting.
- b. Use team lifting for heavy or awkward objects that need to be lifted above the waist level. Do not attempt to lift or carry more than you can easily handle.
- c. Practice safe-lifting techniques: Use the legs to lift; keep the back straight and do not twist while lifting; keep the body as close as possible to the object being lifted.

### 5. Walking surfaces and exits

- a. Ensure all primary exit routes are obvious, marked with an "Exit" sign and free of obstructions.
- b. Remove any objects that block hallways and/or passageways.
- c. Clean up or repair potential slip or trip hazards immediately on apparatus bay floors, kitchen floors, bathroom floors, hallways, outdoor walkways, etc.
- d. Ensure stairways are in good condition with standard railings provided for every flight having four or more risers.
- e. Ensure all areas of the building are adequately illuminated.

### 6. Apparatus floor

- a. Mark ladders, pike poles and other items projecting from the apparatus clearly with brightly colored flags, stripes or other identification.
- b. Exercise caution and use handrails when exiting apparatus.
- c. Maintain apparatus doors in a safe, operable condition.
- d. Maintain adequate clearance for vehicles under apparatus doors.

## 7. Equipment, machinery and tools

- a. Observe safety precautions when operating all equipment, machinery and tools.
- b. Avoid using defective equipment, such as ladders with broken rungs or power equipment without proper safety protection. Repair or replace defective equipment before use.
- c. Mount all equipment and machinery securely to the surface on which it sits.
- d. Ensure grinders and grinding wheels are adequately guarded. Guarding must include work rests, tool rests, eye shields and spindle/nut/flange coverage.
- e. Work rests and tool rests on grinders shall be within 1/8 inch and 1/4 inch respectively to the grinding wheel.
- f. Store maintenance hand tools safely when not being used. They shall be maintained and periodically inspected to ensure they are in a safe and operable condition.
- g. Portable ladders shall be adequate for their purpose, in good condition and have secure footing.
- h. Fixed ladders shall be equipped with side rails, cages or special climbing devices.

## 8. Electrical wiring, fixtures and controls

- a. Maintain 36 inches of clear access around all electrical control panels.
- b. Label electrical switches and circuit breakers with their purpose.
- c. Ensure all electrical outlets have cover plates that are secured to the wall outlets.
- d. Ensure all extension cords are properly grounded and approved.
- e. Avoid using flexible cords and cables as a substitute for fixed wiring.
- f. Avoid hanging electrical cords on pipes, nail hooks, etc.
- g. Check all electrical cords for fraying or exposed plug wiring.
- h. Ensure all electrical tools do not have damaged power cords or plugs, worn switches, defective ground circuits or other faults that could render them unsafe for use.

## 9. Fire extinguishers and fire prevention

- a. Ensure fire extinguishers are of the proper type for the expected hazards.
- b. Maintain portable fire extinguishers in a fully operable condition.
- c. Ensure fire extinguishers have a durable tag securely attached to show the maintenance or recharge date.
- d. Test the fire alarm system at least annually.
- e. Ensure a qualified person services the sprinkler system at least annually.
- f. Check smoke detectors periodically to ensure they are working properly.

- g. Maintain at least 18 inches of clearance below all sprinkler heads.

10. Hazardous materials and exposure prevention

- a. Label all hazardous materials containers with the name of the hazardous material, applicable hazard warning and the name and address of the manufacturer, importer or responsible party.
- b. Evaluate compatibility of hazardous materials before they are stored.
- c. Incompatible hazardous materials shall be separated by distance, partitions, dikes, berms or secondary containment.
- d. Store hazardous materials separately from food, food preparation and eating areas.
- e. Store ignitable liquids in an approved, vented, flammable and combustible liquids storage cabinet.
- f. Use safety containers with self-closing lids for the storage of flammable liquids and soiled oily rags.
- g. Store cylinders of compressed gas in an upright position, away from combustible materials.
- h. Don wear or store turnout gear in the living quarters or buildings.
- i. Clean living quarters thoroughly on a regular basis, including vacuuming or frequently washing blankets, drapes and upholstered furniture.
- j. Wash clothing regularly, taking care not to spread contamination by taking clothing home.
- k. Perform regular vehicle inspection and maintenance to minimize diesel particulate and gas emissions.

11. Communicable diseases - If a member has been exposed to a hazardous material or a communicable disease, follow the reporting procedure in the Communicable Diseases Policy.

12. On-duty physical fitness activities - For safety guidelines during physical fitness, see the Physical Fitness and the Wellness and Fitness Program policies.

13. Visitor safety - For visitor safety guidelines, see the Community Fire Station Visitation Program Policy.

# Policy 913 – Ground Ladder Testing

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure that ground ladders are periodically inspected and tested for compliance with the standards set forth by the National Fire Protection Association (NFPA). This is a safety measure designed to reduce or eliminate the risk of injury to district members when using ground ladders.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to perform annual testing, inspection, and certification of all ground ladders for the safety of district members and to comply with applicable standards.

## 3. INSPECTION AND TESTING

All district-owned ground ladders should be tested and certified annually. The actual testing interval may exceed 12 months if that time is reasonably needed for scheduling and completion of the testing process.

Ground ladders shall also be tested after repair and before being placed back in service. Ladders will be tested in accordance with applicable NFPA standards. Load testing minimums will vary based on ladder construction and type.

All ground ladders should be inspected thoroughly after each use. Any defect noted in the inspection shall be repaired and the ground ladder tested prior to being returned to service.

Ground ladder testing and certification should be performed by a trained, qualified district member or a qualified vendor.

## 4. RECORDS

The Fleet Services Manager shall be responsible for maintaining comprehensive records of all ladder testing and certification for the service life of each ladder.

# Policy 914 – Hazardous Energy Control

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the minimum hazardous energy control requirements mandated by 29 CFR 1910.147 (AAC § R20-5-602).

The control requirements are intended to isolate a machine or equipment from all energy sources to prevent the start-up of the machine or equipment or the release of stored energy, both of which could cause injury.

The control requirements apply to the servicing or maintenance of machines and equipment used in a fire station or on an apparatus. This policy includes member training and periodic control and inspection requirements.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Affected member** - A member whose job duties require him/her to work in an area where hazardous energy exposure could result from cleaning, repairing, servicing, setting up or adjusting machines or equipment under lockout or tagout.

**Authorized member** - A member who is qualified to perform lockout or tagout of machines or equipment, in order to clean, repair, service, set up or adjust its operations. An affected member becomes an authorized member when that member's duties include performing the maintenance operations covered in this policy.

**Hazardous energy** - The unexpected energization or activation of equipment, or the release of stored energy, that could potentially cause injury.

**Lockout or tagout** - The use of devices, positive methods and procedures that result in the effective isolation or securing of machinery and equipment from all hazardous energy sources (e.g., mechanical, hydraulic, pneumatic, chemical, electrical or thermal).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to implement and maintain a written hazardous energy control program to prevent the unexpected release of stored energy or unexpected start-up of machines or equipment.

### **3. RESPONSIBILITIES**

The Fire Chief or the authorized designee shall have overall responsibility for meeting the requirements of the hazardous energy control program. District members shall be trained commensurate with their duties to perform lockout/tagout and other hazardous energy control procedures. The program should include, but is not limited to (29 CFR 1910.147; AAC § R20-5-602):

1. Guidelines and procedures that specifically outline the scope, purpose, authorization, rules and techniques to be utilized when working in proximity to, and for the control of, hazardous energy and the means to enforce compliance, including, but not limited to:
  - a. A statement of the intended use of the procedure.
  - b. Procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.
  - c. The procedural steps for the placement, removal and transfer of lockout and tagout devices.
  - d. The requirements for testing a machine or equipment to determine and verify the effectiveness of lockout, tagout and other hazardous energy control devices.
2. As needed, the District shall develop separate procedural steps for the safe lockout or tagout of each machine or piece of equipment affected by the hazardous energy control program.
3. The District shall develop and maintain a list of all machines or equipment affected by the hazardous energy control program. The list may include, but is not limited to:
  - a. Extrication tools
  - b. Chain saws
  - c. Hydraulic systems (e.g., rack, jacks)
  - d. Complex electrical systems (e.g., generators, pumps, radios)

### **4. LOCKOUT AND TAGOUT**

An authorized member shall be responsible for the following, before working on de-energized electrical equipment or systems, unless the equipment is physically removed from the wiring system (29 CFR 1910.147; AAC § R20-5-602):

Notification of all involved personnel.

Locking the disconnecting means in the "open" position with the use of lockable devices (e.g., padlocks or combination locks), or disconnecting the conductor or other positive methods or procedures. This will effectively prevent unexpected or inadvertent energizing of a designated circuit, machine or appliance.

Tagging the disconnect means with appropriate accident prevention tags. Lockout is not required when the tagging procedures are used as specified here and where the disconnect means is accessible only to personnel trained in tagout procedures.

Blocking the operation or dissipation of energy of all stored energy devices that present a hazard (e.g., capacitors or pneumatic, spring-loaded mechanisms).

## **5. INSPECTIONS**

The Superstition Fire & Medical District shall conduct a periodic inspection of the hazardous energy control program components at least annually to evaluate its continued effectiveness and to determine the necessity for updating any methods or procedures (29 CFR 1910.147; AAC § R20-5-602).

1. The periodic inspection shall be performed by an authorized member other than the members utilizing the hazardous energy control procedures that are being inspected.
2. Where lockout and/or tagout are used for hazardous energy control, the inspector shall provide a review of roles and responsibilities to the authorized members.
3. The Health and Safety Officer (HSO) shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment that was inspected, the date of the inspection, the authorized members included and the name of the person performing the inspection.

## **6. TRAINING**

The Training Officer shall be responsible for ensuring that members receive training on hazardous energy control methods and procedures, based on the reasonably expected workplace exposure. Members shall receive training prior to any work assignment in which a potential hazard exists. Training should include, but is not limited to, the following topics (29 CFR 1910.147; AAC § R20-5-602):

1. Definitions of hazardous energy
2. Workplace hazards
3. Work techniques, hazards and injuries involved in energized equipment
4. Lockout and tagout procedures, equipment and its proper use
5. Authorized and affected employees
6. Safety precautions required when energized electrical equipment is not under the control of an authorized member
7. Refresher training on an annual basis, depending on the results of the annual inspection process

## **7. TRAINING RECORDS**

The Training Officer shall document the hazardous energy control training provided to members both initially and annually and shall retain those records for one year. Documentation shall include:

1. The dates of the training sessions.

2. A list of the topics or a summary of the content of the training sessions.
3. The names or other identifiers and ranks of the members who received the training.
4. The names, certificate numbers and qualifications of persons conducting the training.

# Policy 915 – Hazard Communication

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to protect the health and safety of district members who may be occupationally exposed to hazardous chemicals in the workplace.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to develop, implement and maintain a written chemical hazard communication program for members to use as a reference. The program shall minimally describe how district members will receive information and training on the criteria specified for labels and other forms of warning and Safety Data Sheets (SDS).

## 3. PROCEDURE

The Fire Chief or the authorized designee should develop, implement and maintain a written chemical hazard communication program that includes, but is not limited to (29 CFR 1910.1200; AAC § R20-5-602):


1. A list of hazardous chemicals known to be present in the workplace. The list may be compiled for the workplace as a whole or for individual work areas.
2. The methods the District will use to inform and train members of the hazards of non-routine tasks and the hazards associated with chemicals in unlabeled pipes in member work areas.
3. The District shall make the written chemical hazard communication program available, upon request, to members, to their designated representatives, to Arizona Division of Occupational Safety and Health (ADOSH) and to the National Institute of Occupational Safety and Health (NIOSH).
4. The District shall establish a procedure to ensure that each container of a hazardous chemical is labeled, tagged or marked with the following information:
  - a. Identity of the hazardous chemical
  - b. Appropriate hazard warnings
  - c. Name and address of the manufacturer, importer or other responsible party

## 4. SAFETY DATA SHEETS

The District shall have an SDS for each hazardous chemical that is in use in the workplace. The SDS concerning a hazardous chemical shall be readily accessible to members and prepared in accordance with 29 CFR 1910.1200(g)(2) (AAC § R20-5-602).

## **5. TRAINING REQUIREMENTS**

See the Hazard Communication Program Training Policy.



# Chapter 10: Personnel

# Policy 1000 – Recruitment and Selection

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Last Revision: 09/15/2021

## 1. PURPOSE AND SCOPE

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

## 2. POLICY

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

## 3. RECRUITMENT

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

The strategy should include:

1. Identification of racially and culturally diverse target markets.
2. Use of marketing strategies to target diverse applicant pools.
3. Expanded use of technology and maintenance of a strong internet presence. This may include an interactive district website and the use of district-managed social networking sites, if resources permit.
4. Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
5. Member referral.
6. Consideration of shared or collaborative regional testing processes.

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

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

#### 4. SELECTION PROCESS

All open positions in the classified service may be filled by transfer, promotion, demotion, re-employment, reinstatement, or from the appropriate employment list or other qualified applications.

The District shall actively strive to identify a diverse group of candidates that have, in some manner, distinguished themselves as being outstanding prospects. Minimally, the District should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

- Driving record
- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (documentation may be requested upon hire)
- Information obtained from public internet sites
- Financial history consistent with the Fair Credit Reporting Act (FCRA) and Arizona law (15 USC § 1681 et seq.; ARS § 44-1692)
- Local, state and federal criminal history record checks
- Medical, pre-employment drug screening, and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

##### 4.1 EMPLOYMENT ELIGIBILITY LISTS

The Administrative Services Division should keep available applications for one year of all persons applying for positions with the SFMD. Qualified applicants who are not selected for hire will be placed on an employment eligibility list in ranked order of their final scores from the recruitment testing process.

Employment eligibility lists may remain in effect for one year unless exhausted before their expiration. The Fire Chief may extend an employment eligibility list for an additional period, not to exceed two years in total.

The name of any person appearing on an employment eligibility list should be removed under the following circumstances:

- Upon the written request of the eligible person.
- Failure to respond to a notice of eligibility by phone, email, or mail to the last known address.

- Current employees who resign from service should automatically be removed from employment eligibility lists.

#### 4.2 VETERAN PREFERENCE

The District will provide veteran preference points as required (ARS § 38-492).

### 5. BACKGROUND INVESTIGATION

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

#### 5.1 NOTICES

The Administrative Services Division shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the Arizona consumer reporting law (15 USC § 1681d; ARS § 44-1693).

#### 5.2 CRIMINAL BACKGROUND INFORMATION

Criminal background information, whether directly from the Arizona Department of Public Safety Criminal History Records Section or provided by a third party, may have restrictions on the access, use, security and release of the information. The Administrative Services Division shall establish procedures to ensure compliance with any applicable requirements and security limitations.

#### 5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Services Division should not require candidates to provide passwords, account information or access to password-protected social media accounts.

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

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

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

#### 5.4 RECORDS RETENTION

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

#### 5.5 DOCUMENTING AND REPORTING

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

The report and all supporting documentation shall be included in the candidate's background investigation file.

### 6. DISQUALIFICATION GUIDELINES

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

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

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

## **7. EMPLOYMENT STANDARDS**

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

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

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

### **7.1 STANDARDS FOR FIREFIGHTERS**

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

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

## **8. AUTHORIZED HEADCOUNT**

At the discretion of the Fire Chief, qualified individuals may be hired in advance of a known departure to accommodate for training timelines and continuity of operations.

## **9. RETENTION**

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

- Seek member input on retention strategies.

- Develop a workplace that respects, encourages and enables a work/life balance.
- Facilitate training and career development opportunities.
- Develop and maintain quality supervisors.
- Provide regular and meaningful performance feedback.
- Promote an environment where members are able to speak freely.
- Treat members fairly, equitably and consistently.
- Consider ways to reward excellent performance.
- Follow up on any feedback acquired during an exit interview process.
- Retention incentives may include items from a collective bargaining agreement, employment benefits, seniority benefits, forms of recognition, etc.

# Policy 1001 – Performance Evaluations

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Last Revision: 09/15/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to detail the Superstition Fire & Medical District performance evaluation system, which is used to record work performance for both the District and the employee, giving recognition for good work and providing a guide for improvement where needed. The employee performance evaluation report is a gauge in measuring performance. The report also provides a guide for mutual work planning and review, and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

## 2. POLICY

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

## 3. PROCEDURE

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

Each evaluation will cover a specific time and should be based on the employee's performance during that period. Evaluations are based on observed or documented behavior. If a supervisor becomes aware of or witnesses either outstanding or unsatisfactory performance by an employee, the performance should be noted and a conversation between the employee and the supervisor should take place as soon as practicable after the performance is noted. This conversation is to immediately reinforce outstanding behavior, or correct and counsel unsatisfactory behavior. The supervisor should create a documentation of the performance and the follow-up conversation and use this documentation at the next evaluation period.

At the beginning of the rating period, each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation rating criteria with each employee. When a non-probationary employee's job performance falls below the established standards of the job, the supervisor should, as soon as possible, advise the employee in writing in order to provide an opportunity for the employee to improve performance. The involved employee should be provided the opportunity to initial any such writing and respond in writing, if desired. Failure to meet established performance standards is justification for an unsatisfactory rating. Rating factors that are not observed are assumed to be performed at a standard level.

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

#### **4. FULL-TIME PROBATIONARY EMPLOYEES**

All personnel will serve a 12-month probationary period before being eligible for certification as permanent employees. Probationary firefighters shall be evaluated during the probationary period.

Performance evaluation reports shall be completed as defined by the Department of Human Resources by specific job classification for all other full-time personnel during the probationary period.

#### **5. FULL-TIME PERMANENT STATUS EMPLOYEES**

Permanent employees are subject to three types of performance evaluations:

**Regular** - A performance evaluation report shall be completed twice each year by the employee's immediate supervisor, once in June and the final in December.

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

##### **5.1 RATINGS**

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

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

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

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

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

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

## **6. EVALUATION INTERVIEW**

When a supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results with the employee and answer any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the employee comments section of the performance evaluation report.

## **7. EVALUATION REVIEW**

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

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

## **8. RECORDS MANAGEMENT**

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

Performance evaluation reports will be permanently destroyed in accordance with established records retention schedules.

# Policy 1002 – Promotions and Transfers

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Last Revision: 07/20/2022

## 1. PURPOSE AND SCOPE

The purpose of this policy is to describe the process for promotion and transfer within the ranks of the Superstition Fire & Medical District.

## 2. POLICY

The Superstition Fire & Medical District determines promotions and transfers in a nondiscriminatory manner. It is the policy of the Superstition Fire & Medical District to utilize the promotional testing criteria, study materials, and testing instruments available from authenticated and validated local, regional, and nationally recognized best practices in the fire service when feasible.

Nothing in this policy is intended to supersede any contract language related to promotional requirements that may exist in a memorandum of understanding.

## 3. PROMOTIONS

Promotional testing processes for classified positions may be conducted at any time, at the discretion of the Fire Chief. Only employees who meet the minimum requirements set forth in the job description and promotional testing announcement may participate in the promotional testing process.

Open classified positions constituting a promotional opportunity with the SFMD will be posted internally, and current employees should be given first consideration to fill these open positions. An open recruitment process may be utilized under the following circumstances:

- An insufficient number of internal candidates apply for the position.
- In the opinion of the Senior Leadership Team, the open position could be better filled by an open recruitment.

Qualified candidates who are not selected for the open position will be placed on a promotional eligibility list in order of their final scores from the promotional testing process. Promotional eligibility lists may remain in effect for one year unless exhausted before their expiration. The Fire Chief may extend a promotional eligibility list for an additional period, not to exceed two years in total.

Administrative Services will be responsible for publicly posting promotional eligibility lists.

Unclassified positions may be posted for internal promotion, open external recruitment, or appointment, at the discretion of the Fire Chief.

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

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

### 3.1 PROMOTIONAL PROBATIONARY PERIOD

Employees selected for promotion should serve a one-year probationary period in the new position. If the employee fails to sufficiently perform the duties of the position during the probation, the employee may be returned to their former position or transferred to a similar position (if available) at the discretion of the Fire Chief.

### 3.2 ACTING (OUT OF CLASS) TEMPORARY PROMOTIONS

A Unit Member who meets the following criteria is entitled to a 5% increase in pay. Acting out of class and temporary promotions are based upon the employee's current rank. Only if the employee is promoted will a change in step and grade occur.

1. When a Unit Member works out-of-class for ten (10) or more consecutive shifts, the employee's base pay rate shall increase by 5% for the duration of the acting assignment. This adjustment shall be retroactive to the first shift of the assignment.
2. A Unit Member working an acting assignment on a reasonably regular but non-consecutive basis shall receive out-of-class compensation for the duration of the assignment if they work 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 six (6) month period.
3. If a vacancy is expected to extend beyond 10 shifts, 30 days, or to meet a particular need, the Fire Chief or their designee may temporarily promote an employee. This adjustment shall be retroactive to the first day of the assignment and remain for the duration of the assignment.

## 4. TRANSFERS

The following positions are defined as transfers and are not considered promotions:

- Training Officer
- Battalion Safety Officer

#### 4.1 DESIRABLE TRANSFER QUALIFICATIONS

The following qualifications are considered for transfer:

- Three years of experience
- Completion of the probationary period with the Superstition Fire & Medical District
- Expressed interest in the transfer position
- Education, training, and demonstrated abilities in areas related to the transfer position
- Completion of any local, regional, or national training or certification for the transfer position

#### 4.2 TRANSFER CRITERIA

The following criteria apply to transfers:

1. Administrative evaluation as determined by the Fire Chief. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate should submit these recommendations.
2. The supervisor recommendations should be submitted to the Assistant Chief/Director for whom the candidate will work. The Assistant Chief/Director should schedule interviews with each candidate.
3. Based on supervisor recommendations and those of the Assistant Chief/Director after the interview, the Assistant Chief/Director should submit his/her recommendation to the Fire Chief.
4. Transfers will be made by the Fire Chief.
5. Members transferred from a 56-hour schedule to a 40-hour schedule are entitled to a 5.5% incentive pay to keep the employee's annual salary the same.

The policy and procedures for all positions may be waived for temporary assignments, emergency situations, or for training in accordance with any applicable memorandum of understanding.

# Policy 1003 – Position Job Descriptions

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Last Revision: 09/15/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive description of overall duties and responsibilities of each rank or job classification within the District.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to develop unique position descriptions for each assignment within an established rank or classification.

## 3. PROCEDURE

Administrative Services will generally develop and maintain classification and position specifications (e.g., firefighter, Captain, Battalion Chief). Within the classification specifications there may be multiple assignments. The descriptions will detail the unique duties and responsibilities of each assignment.

Position descriptions should be considered living documents and should be reviewed and evaluated for modification. This should occur at least annually and any time duties or expectations of a specific position substantially change.

Position descriptions should be reviewed prior to hiring to ensure the candidate's knowledge, skills and abilities are consistent with the current performance expectations of the position.

# Policy 1004 – Classification Specifications

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Last Revision: 09/15/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the origin and maintenance processes of the job classifications applicable to the Superstition Fire & Medical District.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to coordinate with the Administrative Services for the development of job classifications unique to the District.

## 3. SERVICE CLASSIFICATION

SFMD recognizes two (2) employee service classification categories, unclassified and classified.

### 3.1 UNCLASSIFIED SERVICE

The unclassified (at-will) service is made up of employees in positions where administrative necessity dictates that the position be more responsive and accountable to District policy, including all management, executive, administrative, and professional positions as defined by the class and pay plan. A classified employee becomes an unclassified employee when he or she is appointed to an unclassified position.

The unclassified service includes specifically the following positions: Fire Chief, Assistant Chief, Deputy Chief, Battalion/Division Chief, Directors and other positions as defined by their job description.

Unless otherwise specifically provided, unclassified employees with the exception of volunteers, interns, personnel appointed to serve without pay, and temporary and part-time employees, are entitled to the same benefits and leaves as those to which classified employees are entitled.

### 3.2 CLASSIFIED SERVICE

The classified service is made up of all regular, full-time employees whose positions have not been included in the unclassified service. The classified service is designed to facilitate efficient and economical services to the public, and to provide for a fair and equitable system of human resources management. Tenure of employees in the classified service is subject to satisfactory work performance and attitude, necessity for the performance of work, the availability of funds, or other appropriate reasons.

Appointments, promotions and other employment decisions in the classified service shall be based on merit and ability, and not on seniority, unlawful or political considerations.

# Policy 1007 – Incentives

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Last Revision: 06/18/2024

## 1. PURPOSE AND SCOPE

The purpose of this policy is to identify the incentives available to Superstition Fire & Medical District members pursuant to the Memorandum of Understanding or the established personnel agreement.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that the incentives established in the Memorandum of Understanding, or the established personnel agreement, shall be available to all members who meet the defined requirements.

Incentive (Full Time)	Annual Amount
Paramedic (Public Safety Only)	\$8,500
Technical Rescue Team (Public Safety Only)	\$3,250
SCBA (Public Safety Only)	\$3,250
Battalion Safety Officer (Public Safety Only)	\$2,100
Paramedic (Transportation Department) <i>*The original \$7,500 paramedic incentive was included in the annual salary on the wage scale. Effective 7/1/2024 the incentive goes into place to bring the total incentive to \$8,500.</i>	\$1,000
Lead Mechanic (Civilian)	\$5,000

Educational Incentive	Annual Amount
Certificate of Completion (Position Specific) <i>*For members hired prior to 11/17/2021</i>	\$600
Associate’s Degree	\$1,200
Bachelor’s Degree, or above	\$1,800

# Policy 1008 – Tuition Reimbursement

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Last Revision: 11/17/2021

## 1. PURPOSE AND SCOPE

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. This program provides financial assistance for courses that are required to expand the employee's knowledge and improve overall job skills, job-related requirements or complete a college degree program.

## 2. POLICY

All full-time employees are eligible for tuition reimbursement under the following guidelines:

1. Tuition will be reimbursed for the following types of training or education:
  - a. Coursework that is directly job-related or expands the employee's overall job skills.
  - b. Coursework that will allow the employee to become more promotable within the fire district.
  - c. Coursework that is required for a degree (Associates, Bachelors, or Masters) in a curriculum program.
  - d. Coursework that is a beneficial skill set for SFMD, as determined by the Fire Chief.
2. 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 line with and closely support the district's mission and strategic initiatives. Employees on probation are eligible to apply but may be required to submit additional information for approval.
3. 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.
4. 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.

### **3. REIMBURSEMENT**

An employee may be reimbursed, for tuition fees only, provided the following conditions have been met:

1. All required paperwork was completed and submitted in a timely fashion.
2. The course(s) were preapproved by the Fire Chief, or designee, prior to start of the course.
3. The course was successfully completed and a verification of grade requirements was submitted to HR.

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.

Employees must receive a "C" grade or higher in a course given by an accredited college, university, or authorized technical/trade/business school. Reimbursement will be paid at 100% for an A grade, 80% for a B grade, and 70% for a C grade. Pass or fail classes are not reimbursable.

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 District will follow the grade standard set by the university.

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.

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 shall 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.

### **4. REPAYMENT**

Employees who voluntarily terminate employment within 24-months from the date the tuition reimbursement check was issued shall 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.

### **5. ADDITIONAL REQUIREMENTS**

1. Employer-paid expenses for coursework are taxed, if applicable, based on the current IRS Code Section 127 policies.

2. 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.
3. There will be no exceptions to this policy regardless of the extenuating circumstances; therefore, there will not be an appeals procedure

# Policy 1009 – Reporting for Duty

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## 1. PURPOSE AND SCOPE

This policy describes the district's expectations of its employees when reporting for duty, to ensure that all members are fully capable of functioning in their capacity.

## 2. POLICY

It is the policy of this district to identify the expectations required of its members when reporting for duty in order to provide efficient and quality services to the community and to provide for the safety of its members.

## 3. PUNCTUALITY

All members should be punctual and be ready to immediately perform their duties at the assigned time.

## 4. RELIEF

Members are required to remain on-duty until relieved. Upon entering the station, it is the member's responsibility to contact the member being relieved and receive a briefing.

Captains shall remain on-duty until change-of-crew unless they are relieved or otherwise directed by a Battalion Chief. Captains may not be absent from their place of assignment without the specific permission of a Battalion Chief.

## 5. READINESS FOR DUTY

Upon reporting for duty, all members should prepare themselves and their gear to be immediately available to respond to calls for service. This should include, but is not limited to, placing personal protective equipment (PPE) on the member's assigned apparatus.

## 6. PERSONAL APPEARANCE

All members should don the appropriate uniform prior to the start of their work assignments and be properly attired at all times when representing the District. Each member should wear the appropriate uniform or protective equipment that has been approved for the activity being performed.

## **7. CLEANLINESS**

All members should keep their persons, uniforms, desks, district vehicles, beds and lockers in a neat and clean condition. If a persistent problem is noticed, the member should be notified immediately.

## **8. INABILITY TO REPORT FOR DUTY**

Members should notify their Captain at his/her duty assignment location as soon as practicable of any inability to report for duty at the time required. If members are unable to make contact with the Captain at the duty station, members should notify the duty Battalion Chief.

## **9. EMERGENCY RECALL**

Upon receipt of an emergency recall, without delay, members should secure and/or stabilize their home and family, and report for duty at the appropriate work location. Members shall recognize the potential for emergency recall and take measures in advance to properly prepare their families. Except when otherwise instructed, members should travel to their normal work assignment once they have received the notice of recall. Members shall not leave their duty assignments until properly relieved. Members shall follow the procedures detailed in the Emergency Recall Policy.

## **10. RELIEVED FROM DUTY FOR VIOLATIONS**

Any Captain may relieve a member under his/her command from duty, when, in the Captain's judgment, an alleged offense committed is sufficiently serious to warrant immediate action. A report of such action shall be immediately made to the appropriate Battalion Chief, followed by written charges and documentation in accordance with district procedures.

# Policy 1010 – Emergency Recall

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the right of the Superstition Fire & Medical District to recall off-duty employees in the event of a large-scale or protracted emergency, natural disaster or other unusual situation that depletes on-duty resources. The policy also establishes the procedures to be used to recall off-duty employees, in accordance with state and federal laws and collective bargaining agreements.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Automatic aid** - Apparatus and firefighters who are dispatched automatically by contractual agreement between two fire departments, communities or fire districts.

**Mutual aid** - Apparatus and firefighters who are dispatched, upon request, by the responding fire department. Mutual aid is defined by a signed contractual agreement between the Superstition Fire & Medical District and neighboring jurisdictions.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide sufficient resources at the scene of an emergency to reasonably provide for the safety of the employees working at the scene, and to ensure adequate resources are available for additional emergency calls. In some instances, this may require the emergency recall of employees.

## 3. PROCEDURES

The Fire Chief or any other chief officer, Battalion Chief or Incident Commander (IC) may initiate an emergency recall by providing the Dispatch Center or other designated resource with brief information regarding the emergency, where members are to report for duty and the name or names of personnel required.

### 3.1 TRIGGERING INCIDENTS

The types of incidents that may require the initiation of an emergency recall include, but are not limited to:

- One major incident affecting a localized or widespread area.
- Two or more incidents causing a high demand for resources at different locations.

- Numerous incidents causing a peak demand on the entire resource system.
- Any time designated by the Fire Chief or the authorized designee.

### 3.2 THE DISPATCH CENTER RESPONSIBILITIES

The Fire Chief or the authorized designee should be responsible for developing and implementing an emergency recall procedure that complies with state and federal laws and collective bargaining agreements. Dispatch or the other designated resource should follow the established procedure when implementing an emergency recall.

### 3.3 FIREFIGHTER RESPONSIBILITIES

Firefighters should reply to an emergency recall immediately or provide notification within 30 minutes with their status and estimated time of arrival. If applicable, they should report for duty with their personal protective equipment.

### 3.4 EXCEPTIONS

Members may not refuse an emergency recall notice. Firefighters who receive an emergency recall notification and are under the influence of any impairment, such as medications or alcohol, should advise the caller of the impairment and should not report for duty.

## 4. OTHER RESOURCES

If sufficient resources cannot be assembled by an emergency recall, the District may consider other options such as:

- Automatic aid
- Mutual aid
- Additional chief officers

# Policy 1011 – Overtime

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Last Revision: 09/15/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to identify the use and management of overtime by Superstition Fire & Medical District employees and to establish an overtime compensation request process.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to maintain a degree of flexibility concerning the overtime policy due to the nature of fire service work and the needs of the District.

## 3. PROCEDURE

Overtime may be available due to unforeseen personnel absences, emergency incidents or constant staffing requirements. The Fire Chief or the authorized designee should develop a plan for the fair distribution of both the workload and the income opportunity if a plan is not stipulated in the memorandum of understanding. The plan should consider the District's interest in managing overtime costs.

Any instance of work that requires overtime compensation shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Employees classified as non-exempt by the Fair Labor Standards Act (FLSA) are not authorized to volunteer work time to the District. Non-exempt employees who work authorized overtime and are compensated, either by payment of wages as agreed upon and in effect through the memorandum of understanding or by the allowance of accrual of compensatory time off, should submit a request for overtime payment as soon as practicable after overtime is worked.

The 40 hour administrative employee may request compensatory time in lieu of receiving an overtime payment. However, the employee may not exceed 40 hours as allowed by District rules and regulations, or the FLSA (29 CFR 553.22).

## 4. OVERTIME COMPENSATION REQUESTS

Employees should submit all overtime compensation requests to their immediate supervisor as soon as practicable for verification and forwarding to the Administrative Services Division. Failure to submit a request for overtime compensation in a timely manner may result in discipline.

## 5. ACCOUNTING FOR OVERTIME

Employees should record the actual time worked in an overtime status. In some cases, a memorandum of understanding may stipulate that a minimum number of hours will be paid.

### 5.1 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed or as stipulated in the memorandum of understanding:

TIME WORKED	RECORD
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1 hour

### 5.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same incident or activity, and the amount of time for which compensation is requested varies between the employees, the Battalion Chief or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

## 6. MANDATORY HIRE BACK FOR OVERTIME

### 6.1 PURPOSE

Hiring back overtime positions may be necessary to maintain adequate staffing levels for effective service delivery to the community. If the Available for Overtime list is exhausted, mandatory overtime up to 24 hours will be implemented for unfilled vacancies.

### 6.2 POLICY

#### Policy 200 – Organizational Structure

##### Section 200.6 – Directives and Orders

Members shall comply with lawful directives and orders from any district supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### Policy 1009 – Reporting for Duty

##### Section 1009.4 – Relief

Members are required to remain on duty until relieved.

## Policy 1001 – Overtime

### Section 1011.3 – Procedure

Overtime may be available due to unforeseen personnel absences, emergency incidents, or constant staffing requirements.

#### 6.3 MANDATORY OVERTIME (OT) DEFINITIONS

**Fill By Rules List** – The Fill by Rules List is a function of TeleStaff that populates a list of employees based on the algorithm for the situation. There are voluntary and mandatory lists that are utilized for each circumstance.

**Mandatory Holdover** – Employee stays the day following their regular shift up to 24 hours.

**Mandatory Hire-Back** – Employee is called in when off duty.

#### 6.4 PROCEDURE

When the Battalion Chief (BC) exhausts the Fill By Rules list in TeleStaff and full or partial shift vacancies still exist, the BC will utilize the Mandatory Overtime List. The individual picked will be contacted by the BC and is expected to work up to 24 hours.

Before utilizing the Mandatory Overtime List, the BC will send an “All Call” email/text to all on-duty and off-duty shift personnel, notifying them that the Mandatory Overtime List will be activated. This message states this is the last opportunity for voluntary OT before filling the Mandatory Overtime List to fill the vacancy. If a volunteer accepts the OT after the “All Call” email/text, the OT counts toward that individual’s Mandatory OT worked bank. This individual is then moved lower on the Mandatory Fill By Rules list, depending on dates and hours worked.

#### Terms of the Mandatory Overtime List:

- All members are required to be on the Mandatory Overtime List and sorted as outlined below:
  - Reverse seniority
  - Rank for rank
  - Last date of Mandatory OT
  - Total number of Mandatory OT hours (this total will move with the employee if promoted)
  - TeleStaff Seniority Number as defined by the Adjusted Seniority list (to be used as a tie-breaker if there is no date/zero hours, or the same date/same hours match)
  - The Mandatory Overtime List in TeleStaff will not reset annually, as with regular Shift OT lists
  
- Probationary employees are included on the Mandatory Overtime List.

- Overworked Rules – Mandatory Overtime selection shall not result in any member working more than 72 consecutive hours without at least a 12-hour break. A member’s regular 48-hour shift rotation, work trades, and other Shift OT are included as time worked.

#### Shift Rotation Day 1 – Mandatory Holdover

- When the Mandatory Overtime List is activated for a vacancy on Day 1 of a shift rotation, the Mandatory Fill By Rules list will target employees that are scheduled to go off shift that morning.
- Personnel on approved leave, participating in a work trade (requesting or accepting), or working an Overtime shift will not be considered on the Mandatory Overtime List.

#### Shift Rotation Day 2 – Mandatory Hire-Back

- When the Mandatory Overtime List is activated for a vacancy on Day 2 of a shift rotation, the Mandatory Fill By Rules list will target all employees that are off-duty that day.

#### Replacement Volunteer for Mandatory OT:

- The individual selected for Mandatory OT is expected to work up to 24 hours. However, that individual has an option to find a replacement with the appropriate rank and certifications to fill their mandatory hire-back vacancy. If a replacement volunteer is found, that individual must notify the on-duty BC, send an email to get the trade approved, and ensure the proper change is made in TeleStaff.
- Any member that has been selected for mandatory OT who arranges a replacement will be considered AWOL if the replacement volunteer does not report for duty.
- A member who volunteers as a replacement for Mandatory OT will have those hours count toward their Mandatory OT worked bank.

# Policy 1012 – Discriminatory Harassment

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## 1. PURPOSE AND SCOPE

This policy is intended to prevent district members from being subjected to discrimination or sexual harassment. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

## 2. POLICY

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

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

## 3. DISCRIMINATION PROHIBITED

### 3.1 DISCRIMINATION

The District prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law (ARS § 41-1463).

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

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

### 3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice.

Retaliation will not be tolerated (see the Anti-Retaliation Policy).

### 3.3 SEXUAL HARASSMENT

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

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

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

### 3.4 ADDITIONAL CONSIDERATIONS

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

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

## 4. RESPONSIBILITIES

This policy applies to all district members who shall follow the intent of these guidelines in a manner that reflects district policy and the best interest of the Superstition Fire & Medical District and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the

report to a higher ranking supervisor or manager. Complaints may also be filed with the Fire Chief, the Administrative Services Director or the Fire Board of Directors.

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

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

#### 4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, a manager, the Fire Chief, the Administrative Services Director or the Fire Board of Directors for further information, direction or clarification.

#### 4.2 SUPERVISOR'S RESPONSIBILITY

Each supervisor and manager shall:

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

#### 4.3 SUPERVISOR'S ROLE

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

1. Behavior of supervisors and managers should represent the values of the District.
2. False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
3. Supervisors and managers must act promptly and responsibly in the resolution of such situations.

4. Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

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

## **5. INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member or members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Superstition Fire & Medical District that all complaints of discrimination, retaliation or harassment shall be fully documented and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

### **5.1 SUPERVISORY RESOLUTION**

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

### **5.2 FORMAL INVESTIGATION**

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

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

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

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

### 5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the District. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges.

Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

## 6. DOCUMENTATION OF COMPLAINTS

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

1. Approved by the Fire Chief, the Fire Board of Directors or the Administrative Services Director, as deemed appropriate.
2. Maintained for the period established in the district's records retention schedule.

### 6.1 NOTIFICATION OF DISPOSITION

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

## 7. TRAINING

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

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

# Policy 1013 – Ethical Standards and Conflicts of Interest

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Last Revision: 11/17/2021

## 1. PURPOSE

To identify standards of ethical behavior expected of all District employees consistent with state laws and District policies.

## 2. POLICY

It is the policy of this District that its members strive to attain the highest professional standard of conduct and discharge their duties in a courteous and professional manner. All members should be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens, and should conduct themselves at all times in such manner as to reflect favorably on the District. Conduct unbecoming of a member shall include that which discredits the District or the person as a member of the District or which impairs the operation or efficiency of the District or its members. Members should be courteous and respectful in their relations with all members of the District and the public.

Employees should follow ethics codes applicable to their professional organizations, licenses or certifications.

It is the policy of the District to promote ethical conduct and ensure public trust and integrity of the District. As a result, all employees are expected to:

1. Obey laws.
  - a. Comply with all state and federal laws, and District policies relevant to the employee's job. This includes but is not limited to the following areas of particular emphasis.
  - b. Conflict of interest provisions of state law which prohibit employees from participating in District business decisions involving the financial or property interests of themselves or a family member.
2. Gifts & Gratuities.
  - a. Gifts and gratuities – nothing of value should be solicited for personal benefit, and nothing should be accepted if it could be construed as an attempt to exert improper influence on or reward any District decision or action. If, after consideration of the ethical standards expressed in this policy, a gift, personal benefit, or other item in excess of twenty-five dollars (\$25.00) in value per person benefitting, is accepted, it must be declared in writing with Administrative Service's office within five (5) business days of acceptance.

- b. The following items reflect legitimate public duties or purposes, or are otherwise not considered gifts to an employee for personal benefit that must be declared:
  - i. Admission to events which are sponsored or funded in whole or in part by the District, if furnished by the District or sponsor(s) of such events;
  - ii. Reasonable hosting, including meals and refreshments, travel, and related expenses, furnished in connection with official speaking engagements, ceremonies or other work-related appearances on behalf of the District, when public or civic purposes are served;
  - iii. Gifts of goodwill or other tokens of appreciation accepted on behalf of the District, or in the case of food, accepted and shared with others in the work place.
  - iv. Items received and donated to a charitable organization.
- 3. Maintain personal integrity.
  - a. Maintain the highest standards of personal integrity, truthfulness and fairness.
  - b. Avoid the appearance of misconduct or impropriety in the performance of the duties and responsibilities of their position.
  - c. Do not disclose confidential information for any unauthorized purpose.
  - d. Members should not use their official position, official identification cards or badges to avoid the consequences of illegal acts or for other non-work-related personal gain.
- 4. Place the District and its citizens first.
  - a. Place the interests of the District, the community and its citizens before personal or private interests in situations in which they may be in conflict.
  - b. Support and implement the policy decisions, directions, and rules established by the District.
  - c. Do not accept anything of value, including discounts on purchases, if the reason for the gift or discount is based on your employment with, or providing services to, the District. Discounts may be accepted if they are a) available to the public, b) provided by the District, c) available to government workers in general, d) available to other employee groups in or the region or e) offered to a class of professionals.
  - d. Do not knowingly allow yourself, your uniform, equipment or other symbol of District employment to be used to endorse or promote any commercial activity. This does not apply to filming or photographing by the media or public of employees during normal work activities or during District activities or events that are open to the public.
- 5. Keep public duties separate from private life.
  - a. Use District resources solely for official District business unless a limited personal use is expressly permitted by policy or if they are available for public use.
  - b. Do not solicit other District employees on behalf of outside vendors.

- c. Members should not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, or release or divulge investigative information or information on any other matter of the District while presenting themselves or in any way identifying themselves as representing the District, without the approval of the Fire Chief.
  - d. Employees may solicit for charitable, nonprofit fundraising events with prior approval by upper-level management, provided the solicitation does not disrupt or negatively affect the District's normal business activities.
6. Treat others fairly and equitably.
- a. Members should not be a party to any malicious gossip, report or activity which would tend to disrupt district morale or bring discredit to the District or any member thereof.
  - b. Promote impartiality, fairness and equality under the law toward all with whom employees may have contact.
  - c. Promote and maintain a work environment free from discrimination.
  - d. Do not retaliate against any person who reports and/or participates in the investigation of a violation of this policy. Retaliation includes, but is not limited to, unlawful discrimination, refusing to recommend an employee for an opportunity for which he or she qualifies, encouraging hostility from co-workers, or any other negative, tangible employment action done intentionally.

### **3. PROCEDURES**

An employee who has experienced, observed, or has knowledge of a violation of this policy should report it to their supervisor or further up the chain if the complaint is against the supervisor.

Formal complaints should be reported in writing.

All formal complaints will be investigated by Human Resources, or designee.

Following investigation of a formal complaint, recommendations will be made to the Fire Chief, or designee, for action if action is required. Recommendations for action may include corrective action or disciplinary action.

### **4. RESPONSIBILITIES**

1. A copy of this policy shall be provided to employees at new employee orientation, along with a statement that employees can sign acknowledging receipt of the policy, and stating they are aware of the ethical standards and agree to comply with them.

2. Employees that believe they may have a conflict of interest about a District business matter should consult with their supervisor, or designee, who will evaluate the facts and provide guidance on the issue.
  - a. Any employee who is or may be called upon to participate in a decision-making process in which the employee's participation would constitute a conflict of interest or the appearance of a conflict of interest or impropriety, must immediately notify their supervisor.
  - b. If a conflict of interest exists, the law requires that the affected employee remove themselves from the decision-making process and not participate in the decision nor attempt to influence it in any way.

# Policy 1014 – Personnel Complaints

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Last Revision: 04/20/2022

## 1. PURPOSE AND SCOPE

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

## 2. POLICY

SFMD takes seriously all complaints regarding service provided by the District and the conduct of its members.

The District will accept and address all complaints of member misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any memorandum of understanding.

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

## 3. PERSONNEL COMPLAINTS

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

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

## 4. AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

### 4.1 AVAILABILITY OF COMPLAINT FORMS

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

## 4.2 SOURCES OF COMPLAINTS

1. Members of the public may make complaints in any form, including in writing, by email, in person or by telephone.
2. Any district member becoming aware of alleged misconduct shall immediately notify their immediate supervisor and second-line supervisor.
3. Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging the misconduct of a member that, if true, could result in corrective action.
4. Anonymous complaints and third-party citizen complaints should be accepted and investigated to the extent that sufficient information is provided.
5. Citizen complaints regarding code enforcement are not considered personnel complaints and shall be forwarded to the Fire Prevention Department.

## 4.3 ACCEPTANCE OF COMPLAINTS

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

The Fire Chief or the authorized designee shall be notified of all citizen complaints.

# Policy 1015 – Outside Employment

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Last Revision: 03/15/2023

## 1. PURPOSE

The purpose of this policy is to establish guidelines to be followed by any Superstition Fire & Medical District members considering outside employment.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to allow members to engage in employment outside of their primary employment with the District, dependent on approval from the Fire Chief, or designee. Approval of any outside employment depends on the determination that the outside employment:

- Is not in conflict with the member's duties with the District;
- Does not discredit the District;
- Does not impact the duties, functions, and responsibilities of the District to the community and its citizens.

Employees who wish to engage in outside employment are required to request and obtain approval from their supervisor, Assistant Chief, or Director before beginning outside employment.

Members engaging in outside employment:

- Are prohibited from using any district equipment or resources in the course of, or for the benefit of, any outside employment; including access to official records or databases of the District or other agencies;
- Shall not represent the District while performing outside employment;
- Shall not use their position with the District to the advantage of their outside employment.

## 3. RESPONSIBILITIES

All District employees are responsible for complying with this Policy.

The approvals of initial requests for outside employment and for the continuation of outside employment are to be routed through the employee's supervisor to the appropriate Assistant Chief or Division Director. Approval for outside employment may be revoked by the employee's Assistant Chief or Division Director if the outside employment is negatively affecting the performance of district job responsibilities.

#### **4. PROCEDURES**

1. Any employee wanting to engage in outside employment must complete and sign a Request for Approval of Outside Employment and forward it to their supervisor.
2. Supervisors review all requests for compliance with this policy and assure that all fields on the request form are thoroughly completed. If the request meets the criteria outlined in this policy, the supervisor signs and dates the request and forwards it for review and approval by the appropriate Assistant Chief/Division Director.
3. Assistant Chiefs or Division Directors review all requests for compliance with this policy. If the request is approved, the Assistant Chief or Division Director signs and dates the request and forwards the original form to the Human Resource Manager.
4. The Human Resource Manager provides a copy of the approved or unapproved request to the employee.
5. The Human Resource Manager will ensure it is entered into the employee's personnel file.
6. Employee is responsible for reporting any changes to the original outside employment request or additional outside employment on another request. Signed approvals are also required for any changes in outside employment, such as the nature of work or hours required per week.
7. An employee, who has previously obtained approval for outside employment, must complete a request annually, at evaluation time, even if there has been no change to the outside employment since the previous approval.
8. An employee who transfers from one division to another must make their supervisor aware of their outside employment.
9. If the outside employment is denied by an Assistant Chief/Division Director, it can be appealed to the Fire Chief.

# Policy 1016 – Personal Projects On-Duty

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the specific conditions in which privileges may be granted to conduct some personal projects while on-duty.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to consider granting privileges to members to conduct personal projects while on-duty in some circumstances. Firefighters assigned to a fire station may experience downtime during their shift and have an opportunity to engage in some personal projects. When this opportunity arises, permission may be granted, subject to the following conditions:

1. Personal projects shall not interfere with emergency response demands.
2. Personal projects shall not interfere with other assigned station duties.
3. At their discretion, the Captain or Battalion Chief may deny or revoke permission for a personal project while on-duty.
4. District equipment or resources shall not be used for personal projects.
5. Office supplies and office equipment (e.g., copiers, fax machines) shall not be used for personal projects.
6. All district policies must be followed while engaged in the personal project.

## 3. PROHIBITED PERSONAL PROJECTS

For the purposes of this policy, the following personal projects are prohibited:

1. Any project for which someone other than the District is compensating the member.
2. Any project that has no association to the District and/or the fire service.
3. Any project that has no personal, career-related or promotional value.
4. Any project that has the potential to cause injury or illness to anyone, or the potential to create risk or liability for the District.

# Policy 1017 – On-Duty Voting Statewide Elections

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## 1. PURPOSE AND SCOPE

Although members are encouraged to use alternative voting methods, such as absentee ballots or early voting, this policy provides guidelines to enable members to vote in all statewide elections as prescribed in Arizona law (ARS § 16-206).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide members a reasonable opportunity to vote in all statewide elections in accordance to Arizona law.

## 3. PROCEDURES

Polls are open from 6:00 a.m. to 7:00 p.m. each election day for statewide elections (ARS § 16-565).

Members scheduled to be at work during that time may take up to three consecutive hours off to vote without losing any pay (ARS § 16-402).

Supervisors shall allow members time off to vote according to the following (ARS § 16-402):

1. Employees may take up to three consecutive hours of paid time off to vote in accordance with Arizona law when application for such time is made prior to the day of the election.
2. The hours of authorized time off for voting may be specified by the employer in accordance with Arizona law.

# Policy 1018 – Personnel Records

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the maintenance of, retention of and access to personnel files in accordance with established law.

### 1.1 PERSONNEL RECORDS DEFINED

Personnel records shall include any record maintained under an individual member's name relating to:

1. Personal data, including marital status, family members, educational and employment history or similar information.
2. Medical history, including medical leave-of-absence forms, fitness-for-duty examinations, workers' compensation records, medical releases and all other records that reveal a member's past, current or future medical conditions.
3. Election of employee benefits.
4. Member advancement, appraisal or discipline, including member responses to disciplinary actions (ARS § 39-128).
5. Complaints or investigations of complaints concerning an event or transaction in which the member participated that pertain to the manner in which the member performed official duties.
6. Any information that if disclosed would constitute an unwarranted invasion of personal privacy.

### 1.2 EMPLOYEE RECORD LOCATIONS

Personnel records will generally be maintained in one of the following files:

**District file** - Any file maintained in the office of the District or the Department of Human Resources as a permanent record of a member's employment with the District.

**Division file** - Any file maintained internally by a member's supervisor in an assigned division for the purpose of collecting information to prepare performance evaluations.

**Supervisor log entries** - Any written comment, excluding actual performance evaluations, made by a supervisor, concerning the performance or conduct of a member of the District.

**Training file** - Any file containing the training records of a member.

**Investigations file** - Any file containing written comments regarding harassment or discrimination claims, misconduct claims, background investigations or reference check responses.

**Medical file** - Any separately maintained file that exclusively contains material relating to a member's medical history.

## **2. POLICY**

It is the policy of the District to maintain the confidentiality of its members' personnel records.

## **3. REQUESTS FOR DISCLOSURE**

All records kept by Arizona public agencies are considered public unless they are covered by specific disclosure statutes (ARS § 39-121 et seq.).

Upon receipt of a request for disclosure of personnel records, the member's supervisor shall be notified and shall be responsible for notifying the affected member as soon as practicable that such a request has been made.

The Custodian of Records shall ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases, this may require assistance of the district's legal counsel.

All requests for the disclosure of personnel records that result in access to a member's file shall be logged in the corresponding file.

Nothing in this section is intended to preclude review of personnel files by the Fire Board of Directors, District Counsel or attorneys or representatives of the District in connection with official business.

## **4. RELEASE OF CONFIDENTIAL INFORMATION**

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential personnel file shall be disclosed to any unauthorized person without the express prior consent of the involved member or the written authorization of the Fire Chief or the authorized designee.

## **5. MEMBER ACCESS TO OWN FILE**

Any member may request access to his/her own personnel file during the normal business hours of the individual responsible for maintaining such files.

Any member seeking the removal of any item from his/her personnel file shall submit a written request to the Fire Chief via the chain of command. The District shall thereafter remove any such item, if appropriate, or as soon as practicable provide the member with a written explanation why the contested item will not be removed.

The request and the district's written response shall be retained, with the contested item, in the personnel file. Nothing herein shall require the removal of any item from the file.

Members may be restricted from accessing files containing any of the following information:

- Ongoing investigations, to the extent the District, in its sole discretion, determines that disclosure could jeopardize or compromise the investigation, pending final disposition or notice to the member of the intent to discipline.
- Confidential portions of an investigation which have not been sustained against the member.

# Policy 1019 – Commendations and Meritorious Service

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Last Revision: 12/20/2023

## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for receiving reports of exceptional public service and for the evaluation process for district recognition and awards.

## 2. POLICY

It is the goal of the Superstition Fire & Medical District to recognize members through an awards system for exceptional performance.

## 3. PROCEDURES

Community and district members may report acts of exceptional public service through any district supervisor.

### 3.1 TYPES OF AWARDS

The types of recognition and awards offered by the Superstition Fire & Medical District include:

1. Letter of Appreciation from a citizen or coworker
2. Letter of Appreciation from the Fire Chief
3. Supervisory Commendation
4. Officer of the Year Award
5. Firefighter of the Year Award
6. Transportation Services Employee of the Year Award
7. Civilian Employee of the Year Award
8. Community Partner of the Year Award – (given at Fire Chief’s Discretion)
9. Fire Chief’s Award for Outstanding Service – (given at Fire Chief’s Discretion)
10. Meritorious Service Award – (given at Fire Chief’s Discretion)
11. Lifetime Achievement Award – (given at Fire Chief’s Discretion)

### 3.2 SUBMITTING AWARD NOMINATIONS

Any member may submit an award nomination by completing an award nomination form to any supervisor, recognizing the exemplary performance of another member.

Award nominations may be completed at any time during the year; however, an email solicitation will occur near the beginning of the year requesting award submissions.

### 3.3 AWARD RECIPIENT SELECTION

Once the submittal deadline has passed, the nominations will be reviewed by the Labor/Management Correlating Committee which will select that year's award recipients. Previous year award winners may also be solicited for feedback on nominations.

### 3.4 RETIREMENT RECOGNITION

Upon retirement in good standing, public safety employees are presented with a personalized engraved axe at either a station of their choosing or at an SFMD board meeting for official recognition unless the member declines the axe. Upon retirement in good standing, civilian employees will be presented with a personalized gift from the district not to exceed the cost of the axe, at either a celebration of retirement or the SFMD board meeting for official recognition.

### 3.5 TIME IN ORGANIZATION RECOGNITION

SFMD recognizes employees at the monthly Board Meetings for the following anniversaries:

<b>Years of Service</b>	<b>Item</b>
5	7" engraved crystal statue
10	7" engraved crystal statue
15	7" engraved crystal statue
20	9" engraved crystal statue
25	9" engraved crystal statue
30	Bugle with engraved plaque <ul style="list-style-type: none"><li>• <i>Brass/Gold finish for Chief Officers</i></li><li>• <i>Chrome/Silver finish for Non-Chief Officers</i></li></ul>
35	Bell with engraved plaque <ul style="list-style-type: none"><li>• <i>Brass/Gold finish for Chief Officers</i></li><li>• <i>Chrome/Silver finish for Non-Chief Officers</i></li></ul>

# Policy 1020 – Grievance Procedure

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Last Revision: 04/20/2022

## 1. PURPOSE AND SCOPE

This policy establishes processes for resolving disputes or concerns regarding conditions of employment, unethical or wasteful conduct or other inappropriate conduct.

This policy does not apply to complaints related to alleged acts of discrimination or harassment or complaints of discrimination on the basis of other protected categories subject to the Discriminatory Harassment Policy. This policy also does not apply to complaints consisting of any alleged misconduct or improper job performance by any member that, if true, would constitute a violation of federal, state or local law, or a violation of district policy or the standards established in the Personnel Complaints Policy.

This policy does not prohibit adverse administrative action taken for legitimate nondiscriminatory or non-retaliatory reasons, including for-cause discipline.

The procedures set forth herein are intended to supplement and not limit a member's access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state law, local ordinance or memorandum of understanding.

### 1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or a dispute involving the interpretation or application of any of the following documents:

- A memorandum of understanding
- This Policy Manual
- Rules and regulations covering personnel practices or working conditions of members

A grievance includes any claim of waste, abuse of authority, or gross mismanagement and any practice within the District which may pose a threat to health, safety, or security.

Grievances may be brought by an individual member or by a group representative.

## 2. POLICY

It is the policy of this district that all grievances be handled quickly and fairly without retaliation against a member who files a grievance, whether or not there is a basis for the grievance. It is the philosophy of this district to promote free verbal communication between members and supervisors.

### **3. RETALIATION PROHIBITED**

No member may retaliate against any person for reporting or filing a grievance under this policy or for opposing a practice believed to be improper, unethical, wasteful or retaliatory or participating in any investigation pursuant to this policy or any other policy in this Policy Manual (see the Anti- Retaliation Policy).

Employees found to be in violation of this policy are subject to discipline. Supervisors who condone or ignore violations of this policy or otherwise fail to take appropriate action to enforce this policy are also subject to discipline.

### **4. PROCEDURE**

Except as otherwise required under a memorandum of understanding, grievances, as defined above, should be resolved using the following procedure or as stated in the memorandum of understanding.

#### **4.1 COMMUNICATING GRIEVANCES**

Members are encouraged to communicate with supervisory personnel regarding any workplace problem or issue they feel needs immediate attention. Generally, any concern about a workplace situation should be first raised with the member's immediate supervisor unless that supervisor is part of the member's concern. It is recognized, however, that there may be occasions where the use of the normal chain of command may not be appropriate.

Any member who feels threatened in any manner or is otherwise concerned about reporting to his/ her immediate supervisor may report this information directly to the Fire Chief or Department of Human Resources without first reporting the information to their immediate supervisor or following the chain of command.

This alternate process shall not be used to circumvent or avoid addressing issues through the normal chain of command.

#### **4.2 GRIEVANCE RECEIPT**

Upon receipt of a verbal or written grievance, the receiving supervisor will promptly document the grievance on the Employee Grievance Form, initiate the investigative process, and ensure that the appropriate supervisor and the Department of Human Resources are notified.

Investigations are generally more effective when the identity of the grieving member is known, thereby allowing investigators to obtain additional information from the reporting member. However, a grievance may be made anonymously.

All reasonable efforts should be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a grievance. In some situations, the

investigative process may not be complete unless the source of the information and a statement by the member is produced as part of the process.

The supervisor receiving the grievance should explain to the grieving member how the matter will be handled.

#### 4.3 RESOLVING GRIEVANCES

1. Supervisors receiving grievances should attempt to resolve the issue through informal discussion with the member.
2. If after a reasonable amount of time, generally ten days, the grievance cannot be settled by the immediate supervisor, the member may request a meeting with the second-line supervisor.
3. If a successful resolution is not found with the second-line supervisor, the member may request a meeting with the Fire Chief.
4. If the member and the Fire Chief are unable to arrive at a mutual solution, then the member shall proceed as follows:
  - a. Submit a written statement of the grievance and deliver one copy to the Fire Chief and another copy to the immediate supervisor and include the following information:
    - i. The basis for the grievance
    - ii. What remedy or goal is being sought by this grievance
5. The Fire Chief will receive the written grievance. The Fire Chief will review and analyze the facts or allegations and respond to the member within 14 calendar days. The response shall identify any corrective measures or other remedies as appropriate. The decision of the Fire Chief is considered final.

### 5. RESPONSIBILITIES

#### 5.1 MEMBER RESPONSIBILITIES

This policy is intended to support efforts to identify and remediate workplace issues appropriately. Members are encouraged to identify workplace issues to bring about positive change in the District. Members shall act in good faith and not file trivial grievances or grievances intended to harass or deflect scrutiny or blame to another member.

Members shall make reasonable efforts to verify facts before making a grievance. Members shall not report or threaten to report information or a grievance knowing it to be false, with willful or reckless regard for the truth or falsity of the information or otherwise made in bad faith.

When making a grievance, members should provide as much information as possible and should cooperate fully with all investigations. Members shall maintain the confidentiality of any statements made

in conjunction with an active grievance pursuant to this policy. This provision is not intended to diminish a member's rights or remedies afforded by applicable federal law, constitutional provision or memorandum of understanding.

Any employee who believes that he/she has been subjected to reprisal or retaliation should immediately report the matter to a supervisor in the member's chain of command or to the Department of Human Resources.

## 5.2 SUPERVISOR RESPONSIBILITIES

Supervisors should make reasonable efforts to identify and remediate workplace issues and bring about positive change in the District before issues escalate to the grievance level. Once a member has made the decision to file a grievance, supervisors shall not attempt to discourage the member, shall accept grievances and shall ensure that reasonable efforts are made to reach a prompt and fair resolution.

Supervisory personnel will:

1. Document all grievances received and all steps taken to resolve the issue.
2. Forward the documentation to the Administrative Services Director through the chain of command.
3. Monitor the work environment to ensure that any member making a grievance is treated with respect and no different than any other employee.
4. Communicate to all members the obligation not to engage in retaliation and follow-up periodically with the grieving member to ensure that retaliation is not occurring.

## 5.3 COMMAND STAFF RESPONSIBILITIES

Command staff should ensure prompt resolution of all grievances, including the following:

1. Timely grievance recognition and acceptance
2. Appropriate documentation of the process and investigation
3. Remediation of any inappropriate conduct or condition and the implementation of measures to minimize the likelihood of reoccurrence
4. Timely communication of the outcome to the grieving member

## 6. MEMBER REPRESENTATION

Members are entitled to have representation during the grievance process and may seek advice, counsel or the assistance of other employees or representatives in their presentation of a grievance.

## **7. GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Assistant Chief of Emergency Services and Administrative Services Director for records retention.

# Policy 1021 – Fit for Duty

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Last Revision: 03/15/2023

## 1. PURPOSE AND SCOPE

This policy addresses fit-for-duty expectations of SFMD for currently employed PSPRS public safety members. This policy does not apply to new Firefighter Recruits' pre-employment medical examination processes.

## 2. POLICY

All PSPRS public safety members must be medically cleared to be fit for duty following a fit-for-duty medical examination. This requirement remains in effect while employed with SFMD.

All sworn members shall have an annual fit-for-duty medical examination. Medical examination specifics should be established by a qualified healthcare professional. The components of the fit-for-duty medical examination are outlined in Appendix A.

All members must be medically cleared to be fit for duty following a medical examination due to injury or extended absence.

Additional fit-for-duty examinations may be necessary, and required, given the individual circumstances of each member, and in situations when a member is returning to work after a significant period of absence (typically six (6) months or greater), or a significant injury.. Inability to meet the fit-for-duty standards may result in a temporary reassignment, retraining, and/or the employee being removed from active duty, up to separation from employment..

## 3. PROCEDURE

### 3.1 MEDICAL EXAM

A designated Physician will make an individual assessment of each member and form a medical opinion on whether that member can safely perform the essential functions of their job. Based on the medical evaluation, the physician may request additional assessments and/or information before determining whether the member is medically cleared for duty.

If the Physician has sufficient reason to determine that a member may not be able to safely perform the essential functions of their job, that member will be removed from their full duty assignment and temporarily placed in a modified work assignment based on the Physician's identified work restrictions. The District will make a concerted effort to assist the member with improving their health and fitness and make reasonable accommodations so that the member can safely return to a full duty work assignment. Return to a full duty work assignment is contingent upon receiving medical clearance from the Physician.

### 3.2 MEDICAL EXAM RESULTS AND DOCUMENTATION

Following completion of the medical exam and, if needed, other required fit-for-duty medical evaluations, the Physician will send a Medical Tracking/Work Status Report to Human Resources identifying the member's status as one of the following:

1. Medically cleared for duty
2. Temporarily cleared for duty pending further information
3. Not medically cleared for duty

Each member will have the opportunity to review their Medical Tracking/Work Status Report.

#### Medically Cleared for Duty:

Member meets minimal health and fit-for-duty parameters; no medical follow-up is needed.

#### Temporarily Cleared for Duty Pending Further Information:

The physician has temporarily cleared the member as fit-for-duty pending further medical information and follow-up, but removal from full duty is not required. The Physician may make recommendations and refer the member for additional medical testing to further assess and evaluate the member's ability to safely perform the essential functions of their job. The time frames established by the Physician for any follow-up medical evaluations or submittal of any additional medical information must be met. Failure to meet follow-up medical evaluation time frames may result in reassignment to a Transitional Duty position until cleared by the Physician.

In these cases, the District will select the necessary medical providers and cover the costs of required additional medical information or follow-up. However, the District will not cover any other costs incurred by the member in voluntarily obtaining and releasing medical information and/or test results from the member's medical provider(s) as permitted in Appendix A.

The Fire Chief will decide whether the member has been medically cleared for duty following receipt of the requested medical information. Additionally, the Fire Chief may continue the member on a Temporarily Cleared for Duty status while requesting additional medical information or follow-up if the information provided is insufficient for the Fire Chief to reasonably make a final decision.

#### Not Medically Cleared for Duty:

The Physician has determined that the member has health issues that make it unsafe for the member to perform the essential functions of their job. A member who is Not Medically Cleared for Duty must be removed from full duty assignment status while Human Resources engages in an interactive process to determine whether any reasonable accommodations can be made to allow the member to safely meet and perform the essential functions of their job.

The Physician may provide the member with a mandatory referral for medical or fitness follow-up. The member must comply with all prescribed follow-up appointments and assessments within the time frame established by the Physician performing the assessment, as set forth above.

These referrals are not punitive, but rather rehabilitative and preventative, to safely return the member to full duty status. The member may be assigned to a Transitional Duty assignment pending release to full duty.

Medical conditions or medical findings that are deemed Workers Compensation or arise following the fit-for-duty evaluation will be addressed on a case-by-case and individual basis.

### **3.3 DISCLOSURE OF MEDICAL INFORMATION**

The District requires access to fit-for-duty medical examination information in order to properly evaluate whether or not the member can safely perform their duties, or whether they require reasonable accommodation. For this reason, the information and documents obtained, created and submitted during fit-for-duty medical examinations is not for the purposes of medical treatment, but rather to allow SFMD to make an appropriate evaluation regarding the employee's work status.

However, some medical providers may consider information related to fit-for-duty medical examinations to be confidential and protected information. In these cases, the member may be requested to sign a Health Insurance Portability and Accountability Act (HIPPA) release or other consent or acknowledgment form. Agreeing to the release of necessary fit-for-duty medical examination information to the District, its agents, and contractors, including possible additional District-contracted physicians, and acknowledging that the member is presenting for the evaluation at the request of their employer rather than as a patient.

Because the District must have the ability to access medical information related to fit-for-duty medical examinations of its members, employment is conditioned upon the member's full cooperation in participating in the fit-for-duty medical examinations. This includes completing and signing any necessary questionnaire forms, consent forms, acknowledgment forms, and release forms related to the fit-for-duty medical examinations.

In all cases, the Fire Chief will access and retrieve as little medical information about a member as is reasonably necessary and will treat this information in a highly sensitive manner. As a matter of routine process, only the Medical Tracking/Work Status Report form will be sent to the Fire Chief. The Fire Chief will review no additional information unless additional information is needed to make an evaluation and/or decision about the member's fit-for-duty status and work clearance.

## **4. RESPONSIBILITIES**

### **4.1 MEMBER'S RESPONSIBILITY**

Each member is responsible for maintaining their own medical and physical fitness in order to perform the essential functions of their job effectively. The essential functions and duties are explained in the member's job description. Members are required to participate in authorized physical training as part of their work routine.

For 56-hour assigned personnel, the District's expectation is that 90 minutes of each 24-hour shift will be devoted to physical training. This includes a warm-up, primary activity, cool down, and clean-up (shower, etc.). The following members, regardless of assignment (40-hour or 56-hour), are required to receive fit-for-duty clearance following the annual firefighter medical examination:

- Fire Chief
- Assistant Chief
- Deputy Chief
- Division Chief
- Battalion Chief
- Captain
- Engineer
- Firefighter

#### 4.2 SUPERVISOR'S RESPONSIBILITY

Supervisors are responsible for ensuring that all members who are required to pass a fit-for-duty medical examination participate in on-duty physical training. Participation in on-duty physical training is mandatory; however, individuals may select the type of physical training most beneficial to them in accordance with the Daily Physical Training Guideline listed in Policy 1022 – Physical Fitness.

Supervisors are also responsible for evaluating all members' ability to effectively perform the essential functions of their job during training, minimum company and individual standards evaluations, and actual incidents.

Supervisors are required to notify their chain of command if any member consistently demonstrates difficulty performing any of the essential functions of their job.

#### 4.3 HUMAN RESOURCES' RESPONSIBILITY

The Human Resources Department will partner with the Battalion Chief in communicating and administering Policy 1021 – Fit-for-Duty, as well as tracking each member's attendance at their annual fit-for-duty appointment.

In particular, Human Resources will be involved in cases where a medical condition is identified that could affect a member's ability to safely perform the essential functions of their job. This effort may include a review of medical records, arranging for additional medical reviews or testing, Transitional Duty assignments and, when necessary, making a determination as to whether or not reasonable job accommodations can be provided.

## Policy 1021 – Fit for Duty

### APPENDIX A: MEDICAL EXAMS

#### Firefighter Annual Physical – Medically Fit-for-Duty MINIMUM Requirements

The following elements of a medical exam meet all OSHA standards and medical screening and surveillance requirements for firefighters as well as aligning with NFPA 1582.

1. **Respiratory Questionnaire and Medical History** – (*Respirator Questionnaire as defined in 1910.134 App. C and OSHA 1910.120(f)*) – Special emphasis on symptoms related to the handling of hazardous substances and known health hazards to assess fitness for duty, including the ability to wear required PPE, specifically SCBA, under hazardous conditions (i.e., temperature extremes) that may be expected at the worksite. History should include current exposures and be compared with baseline data. **No genetic or family medical history shall be requested.**
2. **Physical examination** – (*1910.120(f)(ii), referenced OSHA Guidance Manual for Hazardous Waste Site Activities, Chapter 5*)
  - a. Vital signs, height, weight, temperature, pulse, and blood pressure
  - b. Inspect head, eyes, ears, nose, and throat
  - c. Neck
  - d. Cardiovascular: (Inspection, auscultation, percussion, palpation, and risk stratification for atherosclerotic cardiovascular disease)
  - e. Pulmonary: (Inspection, auscultation, percussion, and palpation)
  - f. Gastrointestinal: (Inspection, auscultation, percussion, and palpation)
  - g. Genitourinary System
  - h. Skin
  - i. Lymph Nodes
  - j. Neurological: (General assessment of major cranial/peripheral nerves [motor, sensory, reflexes])
  - k. Musculoskeletal: (Assessment of overall range of motion of all joints)
3. **Vision Test** – (referenced OSHA Guidance Manual for Hazardous Waste Site Activities, chapter 5) Vision test should measure refraction, depth perception, and color vision. Vision quality is essential to safety, the accurate reading of instruments and labels, the avoidance of physical hazards, and for appropriate response to color-coded labels and signals.
4. **Audiogram** – (*OSHA 29 CFR 1910.95 – Hearing and Conservation*) Tests should be performed at 500, 1000, 2000, 3000, 4000, 5000, and 6000 hertz per tone, in an approved booth.
5. **Labs** – (*OSHA 29 CFR 1910.120(f)(ii), referenced OSHA Guidance Manual for Hazardous Waste Site Activities, Chapter 5*)

- a. CBC – Complete Blood Count
  - b. Comprehensive Metabolic Panel – a broad medical screening tool which checks kidney function, liver function, and electrolyte and fluid balance. A good test for surveillance due to exposures.
  - c. Lipid Panel
  - d. Urinalysis – Urine test indicates normal metabolic function and/or toxic substances and other possible health issues
  - e. Thyroid Panel
  - f. Vitamin D
  - g. GGT – Gamma-glutamyl transpeptidase
  - h. Hs-CRP – High sensitivity C-reactive protein
  - i. HgA 1c – Hemoglobin A 1c
6. **Infectious Disease Prevention** – (*OSHA Blood Borne Pathogen Standard CFR 1910.1030*)
- a. PPD Skin test – tuberculosis screening test
  - b. Vaccination – as needed or following occupational exposure
    - i. Hepatitis B
7. **Tests to Determine Ability to Perform while Wearing Protective Equipment** – (*1910.120(f)(ii)*, referenced *OSHA Guidance Manual for Hazardous Waste Site Activities, Chapter 5*) Required tests determine an employee's capacity to perform while wearing protective equipment.
- a. Pulmonary Function Test – (*OSHA CFR 1910.134*) Measurement should include FEV<sub>1</sub>, FVC, and FEV<sub>1</sub> – to – FVC ratio.
  - b. Cardiopulmonary Exercise Test with Electrocardiogram – measurement used to obtain VO<sub>2</sub> to assess the cardiovascular, pulmonary, and muscular systems.
8. **Chest X-ray** – (*OSHA CFR 1910.134 and CFR 1910.120(f)*, referenced *OSHA Guidance Manual for Hazardous Waste Site Activities, Chapter 5*) – Posterior/anterior chest view every four years or as indicated by Physician. Not be repeated more than once a year.
9. **Low Dose Computed Tomography** – CT Scan is required for members with more than 15 years of service.

\*OSHA CFR 1910.134 (e)(ii) and CFR 1910.120 (f)(ii)(B) Allowance for further testing is based on the discretion of the examining physician in order to make a medical determination of fit-for-duty and to determine if the employee is at an increased health risk from working in a hazardous environment or emergency response and from respirator use. These tests could include:

- Coronary Calcium Score Test
- Echocardiogram

- Further evaluation by a medical specialist
- Heavy Metal Screen

The Physician will need to be able to document in medical notes any reasoning behind further testing based on updated medical history, exposure level of hazardous material, and/or results from tests that could indicate chronic illness.

These components meet the need in determining a firefighter's Fitness for Duty and participation in a medical surveillance program, as required for this profession by OSHA.

Family medical history or genetic information shall not be requested from the firefighter being evaluated.

Age, race, or gender shall not be considered as the basis for any decision including but not limited to, ordering any test of the firefighter being evaluated.

The Physician shall make an independent medical assessment based upon a reasonable degree of medical certainty about whether the firefighter being evaluated can safely perform the essential functions of his or her job without posing a significant safety and health risk to themselves, other members, or civilians.

Employees with a pre-existing medical condition may submit personal medical records or recent test results for the Physician to consider when determining fit-for-duty status. These materials must be submitted to the Physician prior to or during the first fit-for-duty appointment. As part of this process, the member may be required to sign a release of medical information form that has been approved by the District. Also, the member should understand that medical records provided to the Physician may also be released to the District and are no longer the confidentially protected medical information of the employee.

# Policy 1022 – Physical Fitness

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Last Revision: 03/15/2023

## 1. PURPOSE AND SCOPE

The District provides on-duty time for physical fitness to assist personnel in achieving and maintaining optimal health and physical fitness. The purpose of this policy is to establish guidelines for physical fitness activities that are designed to prevent injuries while maintaining fitness. The ultimate goals of this policy are to:

- Meet the physical demands required on emergency responses;
- Reduce the risk of member injury or illness;
- Enhance the overall health, fitness, and safety of members.

## 2. POLICY

Physical fitness activities should not interfere with primary job duties (e.g., emergency responses, public education, training activities, other responsibilities), nor should physical fitness activities delay an emergency response in any way.

The District retains the right to prohibit any physical fitness activity which, in its sole discretion, presents greater risks than benefits.

## 3. PROCEDURE

Physical fitness and conditioning activities should be designed to maintain or improve flexibility, muscular strength, endurance, and anaerobic and aerobic capacity. They should also correspond to the physical movement patterns required in the performance of firefighter duties. Activities may include, but are not limited to:

- Stretching
- Running, jogging, walking, or rowing
- Weight training (with spotter as needed)
- Stationary aerobic training (e.g., stair-climber, treadmill, stationary bicycle)
- Core strengthening
- Firefighter-specific activities (e.g., hose drag, simulated ventilation, dummy drag)
- Physical fitness activities as outlined in this policy and/or peer fitness trainers (PFTs)

### 3.1 SUPERVISOR'S RESPONSIBILITIES

It is the supervisor's responsibility to make a reasonable effort to provide 90 minutes of quality physical training (including recovery time) every on-duty day. Supervisors may request guidance from their chain of command.

Supervisors shall manage on-duty physical fitness activities while meeting the following responsibilities:

#### 1. Types of Physical Fitness Activities

When choosing physical training, the Supervisor shall select activities that are:

- Designed to maintain flexibility, balance, coordination, muscular strength, muscular endurance, and anaerobic/aerobic capacity
- Do not include activities such as any contact sport, swimming, or that require the use of a ball, racquet, paddle, stick, bat, club, flying disc, etc. Exceptions may be made based on Fire Chief approval
- Do not significantly or negatively impact turnout or response times based on the activity's nature, logistics, or location

#### 2. Mission Readiness

During physical training, Supervisors MUST:

- Ensure each member is wearing the approved District physical training uniform
- Preserve crew integrity to assure immediate availability to respond to calls
- Remain in the first due response area or coordinate alternative coverage with the Battalion Chief's approval
- Project a professional image
- Ensure no more than two crews are training at one location at one time
- Permit only Fire District personnel to participate in crew physical training unless pre-approved by District Management
- Fire District physical training may not interfere with the public's use of any facility

#### 3. Safety

Supervisors are responsible for ensuring that all physical training is conducted safely. The following safety issues should be considered:

- Allow sufficient time to warm up muscles prior to engaging in exercise for optimum performance and to reduce the risk of injury
- Make sure the crew is familiar with fitness equipment and training principles
- Assure appropriate clothing, including shoes and any other needed personal protective equipment, is worn and in good repair

- Select an appropriate time and location to perform the activity – a location designed specifically for the training is preferred
- Promote the use of sunscreen for outdoor training and encourage hydration before, during, and after training

### 3.2 NON-FIRE DISTRICT FACILITY USE

The District will provide fitness equipment at fire stations where practical. Crews assigned to stations with fitness facilities or adjacent District facilities may not use commercial or private facilities. Conduct while using commercial or public exercise facilities will conform to District professional conduct policies.

### 3.3 DAY-ASSIGNED STAFF PHYSICAL TRAINING

Non-sworn day-assigned staff may be allowed up to 60 minutes per day (to include travel, warm-up, primary activity, cool down, and shower) to perform physical training. Staff members will work with their supervisor to establish a physical training schedule.

Day-assigned staff should work together to ensure proper coverage is maintained and that all personnel have an opportunity to utilize this policy. District work assignments will take priority. All physical training must be structured and comply with the above-listed guidelines, safety, and conduct.

# Policy 1023 – Critical Incident Stress Debriefing

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a Critical Incident Stress Debriefing (CISD) program. The Superstition Fire & Medical District recognizes that during the course of performing job duties, members may become involved in or be exposed to incidents that have the potential to cause various forms of short- or long-term emotional trauma.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Crisis response services** - Consultation, risk assessment, referral and onsite crisis intervention services provided by a critical incident stress management team to a designated member (ARS § 38-1111).

**Critical incident stress** - A strong emotional, cognitive or physical reaction that has the potential to interfere with daily life, including physical and emotional illness, loss of interest in the job, personality changes, marital discord and loss of ability to function.

**Critical Incident Stress Debriefing (CISD)** - A standardized approach using a group format to provide education, an atmosphere and opportunity for emotional release through discussion, and support for members who are involved in emergency incidents under conditions of extreme stress. CISD is not a diagnostic or treatment process like that provided in counseling sessions by a mental health professional. Instead, it is a service that provides education and support.

**Critical incident stress management team member** - An individual who has completed training through a recognized organization that delivers critical incident stress management training and who is part of a law enforcement, probation, firefighter or emergency medical provider crisis response team (ARS § 38-1111).

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to implement a CISD program to provide support and professional intervention to members of this district following exposure to situations that are likely to create unusually strong emotional reactions.

## 3. CISD PROGRAM

The District should maintain the CISD program, the peer support team, and employee assistance program (EAP). The district's Health and Safety Officer serves as the Fire Chief's designee for managing all District CISD programs.

State, local and peer organizations provide CISD programs and critical incident stress management teams. These resources can prove beneficial and reduce costs.

Functions of the committee include, but are not limited to:

- Providing input and assistance to the development and implementation of the CISD program.
- Recommending the type and content of critical incident-related programs, workshops or seminars.
- Distributing CISD-related information to members.
- Providing the administrative and technical support needed to implement CISD and individual crisis response services.
- Assisting in the recruitment and training of peer support personnel and critical incident stress management team members.
- Coordinating and following up on requests for CISD or individual crisis response services.

#### **4. CISD COMPONENTS**

The CISD program should include pre-incident, on-scene and post-incident activities, including education, diffusion of emotional reactions and debriefing. The purpose of the program is to minimize the impact of stress on members following major incidents.

Ideally, CISD should incorporate the services of both peer support personnel and trained professionals, such as physicians, psychologists or counselors.

The program is intended to be consistent with the recommendations of the National Fire Protection Association (NFPA) and the Fire Service Joint Labor Management Wellness-Fitness Initiative, developed by the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC).

##### **4.1 ACTIVATION**

The following are examples of incidents that may initiate CISD or individual crisis response services:

- Major disaster or mass casualty incidents
- Serious injury, death or suicide of a firefighter, police officer or other emergency service provider
- Serious injury or death of a civilian resulting from emergency service operations
- Death of a child or similar incident involving a profound emotional response
- Any incident that attracts unusually heavy media attention
- Loss of life following an unusual or extremely prolonged expenditure of emotional and physical energy by emergency services personnel
- Any unusual incident that produces an extreme, immediate or delayed emotional response
- Cumulative trauma from multiple incidents

Any time it has been determined that a critical incident has occurred and intervention may be needed, a CISD should be requested. The request may be made either directly to peer support personnel or through the CISD committee. Depending on the type and magnitude of the incident and services that may be needed, the CISD may be activated either during or after a critical incident.

All members are responsible for recognizing incidents that may need a CISD. Once an incident has been identified as a critical incident, a CISD should be initiated as soon as practicable.

Debriefing may be conducted anywhere there is ample space, privacy and freedom from distractions. Consideration should be given to including responders from other agencies who were involved in the incident including, but not limited to, communications personnel, law enforcement officers and paramedics or ambulance personnel.

Any member may request peer support, professional help or crisis response services as needed, on an individual basis.

## 4.2 CISD PROVIDERS

CISD providers should include mental health professionals and peer support members.

1. The duties and responsibilities of mental health professionals include the following:
  - a. Supervise and advise on all clinical aspects of the program.
  - b. Ensure the quality of CISD services.
  - c. Offer clinical support and program guidance to the CISD committee and peer support personnel.
  - d. Assist in the selection of new peer support personnel.
  - e. Provide guidance to peer support personnel.
  - f. Assist in training peer support personnel and with continuing education.
  - g. Advise on the development of policy and written operational CISD protocols.
2. Mental health professionals involved in the CISD program should have the following qualifications:
  - a. Be a licensed mental health professional.
  - b. Be trained and experienced in a recognized CISD model.
  - c. Demonstrate experience in counseling emergency services personnel.
3. The duties and responsibilities of peer support members include the following:
  - a. Assist and support the CISD mental health professionals as necessary.
  - b. Provide referrals to mental health professionals, where appropriate.
  - c. Provide support and basic education to members and their families.
  - d. Serve as a CISD provider with mental health professionals.

- e. Complete training and supervision necessary for the role.
4. Members involved in the CISD program as peer support personnel should have the following qualities:
- a. Good negotiating skills
  - b. Ability to communicate effectively
  - c. The respect and trust of peers
  - d. Ability to maintain confidentiality
  - e. Ability to adhere to established limits and criteria
  - f. Ability to learn about the psycho-social process
  - g. Good listening skills
  - h. Good rapport with fellow emergency workers
  - i. Sensitivity to the problems of others
  - j. Be an emergency service provider or a member of a related service
  - k. Possess experience and knowledge about the types of incidents and situations to which members may be exposed

Peer support personnel should participate in both initial and continuing education and training regarding CISD principles and procedures.

## **5. DEBRIEFING**

The form of CISD utilized should depend upon how early the intervention is activated and the nature of the incident. The use of one format does not preclude the use of others for the same critical incident.

Common formats for CISD include:

1. On-scene debriefing: Peer support personnel or mental health professionals respond to the scene as observers and advisers to watch for the development of acute reactions. They may offer encouragement and support, check on the well-being of personnel and allow for individual discussion of feelings and reactions.
2. Initial defusing: This usually takes place within a few hours of the incident and is generally facilitated by peer support personnel. It is an informal process encouraging open and free expression of feelings without a critique of the incident. The purpose is to stabilize involved members so they can go home or return to service.
3. Formal debriefing: Debriefing led by a CISD program mental health professional and peer support personnel that usually takes place 24 to 48 hours after the conclusion of the incident. Members involved in the critical incident are given the opportunity for free expression of feelings. This expression should be met with acceptance, support and understanding.

4. Follow-up debriefing: If deemed necessary, follow-up may be facilitated by the CISD mental health professional and peer support personnel several weeks or months after a critical incident. The main purpose is to resolve any issues or problems that were not initially resolved. The follow-up debriefing may include the entire group or a portion of those originally involved.

Regardless of the type of debriefing, CISD is not a critique of district operations at the incident. The CISD provides a setting in which members can discuss their feelings and reactions as a means to reduce the stress resulting from exposure to critical incidents. Performance issues should not be discussed during the debriefing.

No one has rank during a debriefing process. Everyone is equal.

Following any intervention, should members feel a need for additional assistance, contact may be made with peer support personnel or a CISD committee member to obtain information regarding a referral.

## **6. ATTENDANCE**

Only those involved in the incident and CISD team members should be present. Members directly exposed to the traumatic aspects of an incident are strongly encouraged to participate in CISD.

Under special circumstances, the supervising officer may make attendance mandatory. Even if attendance is mandatory, members should not be obligated to speak or express their feelings during the CISD.

During debriefings, members involved should be out of service with radios, pagers or other distractions turned off.

## **7. ROTATION OF PERSONNEL**

Incident Commanders should minimize members' exposure at critical incidents by rotating or removing initial responding personnel from the immediate scene and reassigning them to less stressful operations as soon as possible. Members directly involved in critical incidents should be considered a high priority for immediate reassignment or removal from the scene. Relief from duty may also be considered.

Trained peer support personnel may make a request to their Captain or Battalion Chief for relief or reassignment during a shift to participate in CISD activities. The peer support personnel should provide a number of on-scene services, including on-site evaluation, encouragement and consultation. They should also be considered an available resource for assignment to rehab, medical or other areas as needed.

Circumstances of a critical incident may result in a recommendation that individuals or companies be taken out of service. The Battalion Chief is responsible for making the appropriate arrangements.

Under no circumstances is being taken out of service to be construed as critical or negative. Personnel taken out of service are to be viewed as deserving of the same consideration as an injured firefighter.

## **8. CONFIDENTIALITY**

The District considers all CISD interventions and individual crisis response services, regardless of type, as strictly confidential. Notes, other than those specifically identified in this policy, are prohibited. No audio or video recording may be made without the express consent of all participants.

The only exceptions to confidentiality should be when (ARS § 38-1111):

1. There is reasonable evidence to assume a risk of harm to the member or to others. If the risk is to another person, that person is identifiable and there are means to contact the person.
2. Participants divulge information that falls under any applicable state mandatory reporting duties.
3. The member has given express consent to divulge the applicable information.
4. The member has voluntarily testified to the information, which may compel the CISD member to testify to his/her knowledge of the same.
5. The information relates to a violation of law or policy that is normally enforced by a law enforcement agency.

# Policy 1024 – Workplace Violence

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to make clear that the District does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior which is or can be perceived as threatening, hostile and/or violent.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide and maintain a safe work environment for its employees, volunteers and members of the public.

In responding to any violent behavior in the workplace, the District is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses and those instigating the harm.

## 3. PROHIBITED BEHAVIOR

No member shall engage in, encourage or promote violent behavior toward any person while conducting district business or on district property.

District management is prohibited from authorizing members to carry weapons while engaged in district business, unless carrying a weapon is required by the assigned duty and there are policies and procedures in place that govern the approval, use and/or display of the weapon.

No member engaged in district business shall carry weapons in violation of applicable state or local laws or this policy.

Also see the Carrying Weapons On-Duty Policy.

## 4. REPORTING AND INVESTIGATING

### 4.1 MEMBER RESPONSIBILITY

District members who experience, observe or have knowledge of prohibited behaviors and actions in the workplace have a responsibility to report the situation as soon as practicable to a supervisor, a manager or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

Members should render aid to anyone who may be in need and be prepared to assist emergency responders, as requested, following any incident of violence in the workplace.

#### 4.2 SUPERVISOR, MANAGER, BATTALION CHIEF AND ASSISTANT CHIEF/ DIRECTOR RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the next immediate supervisor shall be notified as soon as practicable and appropriate action taken.

Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

#### 4.3 INVESTIGATION

The Administrative Services Division will promptly, impartially and with as much confidentiality as practicable, coordinate the investigation of all reports of violent behavior.

District members are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

#### 4.4 REPORTING NON-WORK-RELATED THREATENING OR VIOLENT BEHAVIOR

District members who are victims of domestic violence or other threatening behavior outside of the workplace, or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisor.

Supervisors receiving any such report shall contact the Administrative Services Division as soon as practicable so that any appropriate safety measures or plans may be developed.

#### 4.5 RETALIATION PROHIBITED

Any form of retaliation against a member for making a report concerning violent behavior in the workplace is prohibited.

Any member who becomes aware of any retaliation or threatened retaliation shall immediately notify his/her supervisor.

#### 4.6 RESTRAINING ORDERS

Members who obtain a restraining order listing their workplace, person or the District as a protected area must provide a copy of the restraining order to their immediate supervisor or the Administrative Services Director. The District needs this information in order to provide a safe workplace.

#### 4.7 FOLLOW-UP ACTION

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law and the applicable collective bargaining agreement before the District takes any disciplinary action.

Actions that may be taken when an employee has been found to have violated this policy include, but are not limited to, the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution
- Special procedures, such as job relocation or initiation of a court order

If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

#### 4.8 LEGAL ACTION

The district's legal counsel will determine if a temporary restraining order or injunction should be sought on behalf of the District to reduce future or threatened violent behavior in the workplace.

#### 4.9 CORRECTIVE ACTIONS

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety. These actions may include, but are not limited to:

- Placing the involved member on administrative leave pending further review and determination of permanent action. Administrative leave would be unpaid in the case of a volunteer.
- Reassigning the member to a different work location.
- Referring the member to conflict resolution training sessions.
- Referring the member to the Employee Assistance Program (EAP).
- Modifying workstation designs and office traffic flow patterns.
- Requiring the member to attend a fitness-for-duty evaluation.
- Developing specific workplace violence procedures for incident response, prevention and corrective actions.

#### 4.10 WORKPLACE VIOLENCE PREVENTION

All district members are responsible for assisting in the prevention of violence in the workplace. The District will provide appropriate training to members regarding workplace violence.

In the event a violent incident occurs in the workplace, the Fire Chief is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.

# Policy 1025 – Lactation Breaks

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to any member desiring to express breast milk for her infant child.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her nursing child for up to one year after the child's birth (29 USC § 207).

## 3. LACTATION BREAK TIME

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

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the Dispatch Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt district operations.

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

## 4. PRIVATE LOCATION

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

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

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

## **5. STORAGE OF EXPRESSED MILK**

Any member storing expressed milk in any authorized refrigerated area within the District shall clearly label it as such and shall remove it when the member ends her shift.

# Policy 1026 – Smoking and Tobacco Use

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## 1. PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Superstition Fire & Medical District facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff,, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

## 2. POLICY

The Superstition Fire & Medical District recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the District and its members. Therefore smoking is prohibited by members and visitors in all district facilities, buildings and vehicles, and as further outlined in this policy (ARS § 36-601.01).

## 3. SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Superstition Fire & Medical District.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes inside District facilities and vehicles.

### Smokeless Tobacco Use and Restrictions

The disposal (spitting) of smokeless tobacco by-products may occur within fire stations by adhering to the following: Spitting into a sealable, spill proof, non-transparent receptacle. The sealable, spill proof, non-transparent receptacle is restricted from use or transport on fire apparatus and ambulances.

Additionally, there will be no spitting in waste containers, trash containers, sinks, reusable drinking or eating containers, urinals, floor drains, drinking fountains, out of fire apparatus, or in fire apparatus, on the ground near travel paths, walkways, driveways, apparatus aprons, during any service delivery activity or in public.

## 4. ADDITIONAL PROHIBITIONS

Members may not smoke tobacco products near any entrance, window or ventilation system, or at any facility where persons entering or leaving may be subject to breathing tobacco smoke (ARS § 36-601.01).

#### 4.1 NOTICE

The Fire Chief or the authorized designee shall ensure that proper signage is posted at every entrance to the facility clearly indicating smoking is prohibited, and identifying where complaints regarding smoking violations may be made (ARS § 36-601.01(E)).

# Policy 1027 – Drug- and Alcohol-Free Workplace

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## 1. PURPOSE AND SCOPE

The Superstition Fire & Medical District prohibits the use of drugs and alcohol in the workplace in order to provide a safer work environment for members and to protect the public's safety and welfare. This policy applies to all members when they are on district property or when performing district-related business elsewhere.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide a drug- and alcohol-free workplace for all members.

## 3. GENERAL GUIDELINES

Alcohol and drug use in the workplace or on district time can endanger the health and safety of district members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Fire Chief or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see the Work Restrictions section in this policy).

### 3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on- duty status.

Unlawful use of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

## 4. MEMBER RESPONSIBILITIES

Members shall come to work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on district premises or on district time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members shall notify a supervisor immediately if they observe behavior or other evidence they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

## **5. EMPLOYEE ASSISTANCE PROGRAM**

The District provides a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

## **6. WORK RESTRICTIONS**

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and request that a Battalion Chief respond to the location of the impaired member. The Battalion Chief shall ensure the member is transported to a safe location and that the continuity of district operations is maintained.

## **7. REQUESTING SCREENING TESTS**

A supervisor or Battalion Chief may request an employee or a prospective employee to submit to a screening test under any of the following circumstances (ARS § 23-493.04):

1. The supervisor or Battalion Chief determines there is a reasonable suspicion that an employee may be affected by the use of drugs or alcohol and that such use may adversely affect the job performance or the work environment.
2. The supervisor or Battalion Chief determines there is reasonable suspicion that an employee is currently impaired or exhibiting objective symptoms of intoxication or drug influence while on-duty.
3. When the employee is involved in an injury or fatal accident while on-duty.
4. When the employee is involved in an injury or fatal accident while operating any District-owned vehicle, whether on- or off-duty.

5. During an investigation of an accident in the workplace, provided the testing is performed as soon as practicable after an accident and is administered to employees whom it is reasonable to believe may have contributed to the accident.
6. As a condition of employment to prospective employees.

Generally testing of employees shall occur during, or immediately before or after, a regular work period. The testing, and travel time if required, will be deemed work time for the purpose of compensation for all paid employees (ARS § 23-493.02).

#### 7.1 ADMINISTRATIVE SERVICES DIRECTOR RESPONSIBILITY

The Administrative Services Director shall ensure written records are prepared documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

1. The test will be given to detect either alcohol or drugs, or both.
2. The result of the test is not admissible in any criminal proceeding against the employee.
3. The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

#### 7.2 SCREENING TEST DISPOSITION

An employee may be subject to rehabilitative or disciplinary action if he/she:

1. Fails or refuses to submit to a screening test as requested.
2. After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
3. Violates any provisions of this policy.

#### 7.3 DISCIPLINARY ACTION

Rehabilitative or disciplinary action may include (ARS § 23-493.05):

- Enrollment in a rehabilitation, treatment or counseling program, which may include additional drug testing and alcohol impairment testing that has been provided or approved by the District. Participation in the program may be a condition of continued employment. The cost may or may not be covered by any available health plan or policy.
- Suspension of the employee, with or without pay, for a designated period.
- Termination of employment.
- In the case of drug testing, refusal to hire a prospective employee.
- Other adverse employment action.

#### 7.4 SCREENING TEST REQUIREMENTS

All screening tests for drugs or alcohol shall comply with the standards set forth in ARS § 23-493.03.

#### 7.5 SUBSTANCES FOR WHICH TESTING MAY BE REQUIRED

The District may test for alcohol and any drugs as defined in ARS § 23-493(3), including prescription drugs or over-the-counter compounds (ARS § 23-493.04(A)(4)).

#### 7.6 SCREENING TEST RESULTS

Employees have the right to obtain written results of any testing performed. Employees also have the right to have a positive test result explained in a confidential setting (ARS § 23-493.04(A)).

### **8. COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the District will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

### **9. CONFIDENTIALITY**

The District recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

# Policy 1028 – Personal Appearance Standards

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## 1. PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the District, members shall maintain their personal hygiene and appearance to project a professional image appropriate for this district and for their assignment.

The procedures contained herein are intended to promote uniformity of the members of the District by addressing specific grooming items. However, nothing herein shall limit the district's ability to address any other grooming or personal appearance deemed improper for members of the District.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that all members meet required personal hygiene and grooming standards while on-duty or conducting official business.

## 3. GROOMING STANDARDS

The following appearance standards shall apply to all members except those whose current assignment would deem them not appropriate or where the Fire Chief or the authorized designee has granted an exception.

### 3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) which affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to a supervisor or the Department of Human Resources.

### 3.2 HAIR

The hairstyle of all members shall be neat in appearance. Hair must be no longer than the horizontal level of the bottom of the uniform patch when the member is standing erect. Hairstyles that extend below the top edge of the uniform collar should be secured in a tightly wrapped braid or ponytail.

### 3.3 SIDEBURNS

Sideburns shall not extend below the bottom of the ear and shall be trimmed and neat.

### 3.4 BEARDS

Beards are prohibited.

### 3.5 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Fire Chief or the authorized designee. 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 (SCBA) or other safety equipment.

### 3.6 COSMETICS

Members are permitted to wear cosmetics of conservative color and amount.

### 3.7 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to members working in the field. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

### 3.8 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by members on-duty on any part of the uniform or equipment, except those authorized within this manual. Members should be mindful of wearing jewelry that can become snagged or caught during performance of fire suppression duties.

- Necklaces or jewelry worn around the neck shall not be visible above the shirt collar.
- It is recommended that members refrain from wearing rings while assigned to suppression.

## 4. TATTOOS

Tattoos, brands or mutilations that are inappropriate, as determined at the sole discretion of the Fire Chief, must be covered. Inappropriate marks may include, but are not limited to, marks that exhibit or advocate discrimination against sex, race, religion, ethnicity, national origin, sexual orientation, age (40 and over), physical or mental disability or medical condition, or marital status; marks that promote or express gang, supremacist or extremist group affiliation; and marks that depict or promote drug use, sexually explicit acts or other obscene material.

## **5. BODY PIERCING OR ALTERATION**

Except for a single stud pierced earring worn in the lobe of each ear, no body piercing shall be visible while any member is on-duty or representing the District in any official capacity.

Alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

1. Tongue splitting or piercing.
2. The complete or trans-dermal implantation of any material other than hair replacement.
3. Abnormal shaping of the ears, eyes, nose or teeth.
4. Branding or scarification.

# Policy 1029 – Uniform Regulations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish uniform regulations for members in order to enhance the district's overall professional and positive image.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that members shall wear the proper uniform at all times when on-duty or engaged in district-related activities off-duty. Members shall maintain an adequate supply of uniforms to meet the needs of their assignment and maintain the uniforms in an acceptable condition. This policy does not supersede district regulations regarding the use of any personal protective equipment (PPE).

## 3. STANDARD WORK UNIFORM

The standard work uniform for Captains, Engineers and firefighters shall consist of NFPA approved navy blue short- or long-sleeve shirt; navy blue trousers or shorts; district approved belt; and black, steel-toe boots.

The standard work uniform shall be worn as directed. Members are not required to wear the standard work uniform underneath personal protective equipment (PPE) in order to complete the PPE ensemble. Blue response pants (brush pants) shall not be worn inside any district facility, including the fire station, and should be treated the same as turnout gear.

Officers shall wear appropriate rank insignia on the standard work uniform.

Members are required to have one pair of serviceable pants and a district-approved, collared, polo shirt.

### 3.1 UNIFORM JACKETS

Uniform jackets may be worn as described in this subsection:

- A long-sleeve jacket that is district-approved shall be worn over district-approved uniform shirt

### 3.2 T-SHIRTS

Official district on-duty t-shirts or plain white t-shirts may be worn:

- Under the standard work uniform shirt.
- Uncovered and tucked into the trousers, at the Captain's discretion, while working at the fire station or while engaged in company level manipulative training that does not require PPE.

- Long-sleeve t-shirts, either official or plain white, shall be worn as a layering component under wildland PPE.

### 3.3 BASEBALL CAPS

Official district on-duty blue baseball caps may be worn, at the discretion of the Captain, except:

- When a helmet is required.
- At formal or semi-formal events or occasions.

## 4. PHYSICAL FITNESS UNIFORMS

The physical fitness uniform shall primarily be worn when engaged in physical fitness. It may also be worn in quarters on holidays and weekends.

The fitness uniform shall be covered with an appropriate work uniform or combination of PPE and work uniform while in transit to and from a physical fitness location.

Nylon or other synthetic material shorts and other fitness uniform items should not be worn under PPE because those fabrics may melt.

## 5. DRESS UNIFORMS

Dress uniforms shall be worn as directed by the Fire Chief and when attending the following types of events:

- Funerals and memorials
- Formal district functions, such as graduations and badge ceremonies
- Formal District functions

## 6. UNIFORM MAINTENANCE

- Uniforms shall be clean, neat and in good condition and should fit well.
- Boots and belts shall be clean and polished with black polish.
- Metal badges shall be clean and free from excessive scratches.

# Policy 1030 – Badges

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## 1. PURPOSE AND SCOPE

The name of the Superstition Fire & Medical District and the district badge and uniform patches are property of the District. This policy establishes the rules associated with Superstition Fire & Medical District badges and any likeness of the badge.

## 2. POLICY

The Superstition Fire & Medical District may issue members of the District a curved uniform badge for use or display in compliance with this policy.

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

## 3. BADGE TYPES

### 3.1 SWORN, APPOINTED OR ELECTED MEMBER FLAT BADGES

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

A sworn, appointed or elected member may sell, exchange or transfer a flat badge only to another sworn, appointed or elected member of the Superstition Fire & Medical District and only with the written approval of the Fire Chief.

### 3.2 CIVILIAN MEMBER BADGES

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

1. Civilian personnel shall not display the district badge except as a part of the uniform and while on-duty, or otherwise acting in an official and authorized capacity.
2. Civilian personnel shall not display the district badge or represent themselves, on- or off-duty, in such a manner which would cause a reasonable person to believe that they occupy the rank or position of any other member of the District.
3. Civilian personnel may not purchase, carry or display a flat badge.

### 3.3 RETIREE BADGES

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

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

### 3.4 MOURNING BADGE

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

1. A firefighter of this district: From the time of death until midnight on the 14th day after the death.
2. A firefighter from this or an adjacent county: From the time of death until midnight on the day of the funeral.
3. Funeral attendee: While attending the funeral of an out-of-region firefighter.
4. As directed by the Fire Chief.

## 4. LOSS OF BADGE

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

## 5. UNAUTHORIZED USE OF BADGES

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

The district badge, uniform patch or any likeness thereof shall not be used for personal or private reasons including, but not limited to, letters, memoranda or electronic communications, such as email, websites or Web pages.

Members may not use the district badge, uniform patch or district name in any material (printed matter, products or other items) without approval of the Fire Chief.

Members shall not loan their district badge to others and shall not permit the badge to be reproduced or duplicated.

## **6. PERMITTED BADGE USE BY MEMBER GROUPS**

The likeness of the district badge shall not be used by any member group without the express prior authorization of the Fire Chief and shall be subject to the following:

1. The member associations may use the likeness of the district badge for merchandise and official association business provided the merchandise is used in a clear representation of the association and not the Superstition Fire & Medical District. The following modifications shall be included:
  - a. Any text referring to the Superstition Fire & Medical District shall be replaced with the name of the member association.
  - b. The badge number portion of the image shall display the name or acronym of the member association.

# Policy 1031 – Identification Cards

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for issuing and possessing Superstition Fire & Medical District identification cards. Any image or likeness of the identification card and the name of the Superstition Fire & Medical District are the property of the District and their use shall be restricted as specified in this policy.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that identification cards shall be issued to all district members. All members shall be in possession of their district-issued identification card at all times while on-duty or otherwise acting in an official or authorized capacity. The use and display of district identification cards shall be in compliance with this policy.

## 3. IDENTIFICATION CARD CONTENT

District-issued identification cards shall include the following information:

- The district name
- An image of the district maltese
- A photograph of the member
- The full name of the member
- The member's employee identification number
- The date of hire
- A statement indicating that the identification card is the property of the Superstition Fire & Medical District and that if found, the card must be returned to the District

## 4. RETIREE IDENTIFICATION CARD

Upon honorable retirement members may be issued a retiree identification card. The card shall clearly indicate that the holder is a "Retired" member of the District.

## 5. UNAUTHORIZED USE

District identification cards may not be displayed for any purpose other than official use.

Members may not use an image or likeness of the district identification card in any material (printed matter, products or other items) without prior written approval from the Fire Chief.

Members shall not loan district identification cards to others and shall not permit the identification card to be reproduced or duplicated.

#### **6. LOSS OF DISTRICT IDENTIFICATION CARD**

The loss of the district identification card must be immediately reported to the Administrative Services Division. An identification card should be considered lost whenever it is not in the direct control of the member.

#### **7. REPLACING IDENTIFICATION CARDS**

Identification cards should be replaced whenever they become damaged, faded or otherwise difficult to read, or when the member's photograph becomes outdated or no longer presents an accurate depiction of the member.

# Policy 1032 – Occupational Disease and Work-Related Injury Reporting

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

### 1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An accidental injury, mental illness or occupational disease arising out of and in the course of employment. An occupational disease does not include ordinary diseases to which the general public is exposed (ARS § 23-901; ARS § 23-901.01; ARS § 23-1105).

## 2. POLICY

The Superstition Fire & Medical District will address occupational diseases, mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (ARS § 23-901 et seq.).

## 3. RESPONSIBILITIES

### 3.1 MEMBER RESPONSIBILITIES

A member sustaining any occupational disease or work-related injury shall report such event to a supervisor as soon as practicable, but within 24 hours, and shall seek medical care when appropriate.

### 3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate and should notify the Battalion Chief of the reported occupational disease or work-related injury.

Supervisors shall ensure that required workers' compensation documents regarding the occupational disease or work-related injury are completed and forwarded to the Battalion Chief promptly. Any related Districtwide disease- or injury-reporting protocol shall also be followed.

The Fire Chief or designee shall determine whether the Line-of-Duty Death and Serious Injury Notification and the Illness and Injury Prevention Program policies apply and take additional action as required.

### 3.3 BATTALION CHIEF RESPONSIBILITIES

The Battalion Chief who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Fire Chief, the District's risk management entity and the Administrative Services Director to ensure any required Arizona Division of Occupational Safety and Health (ADOSH) reporting is completed as required in the Illness and Injury Prevention Plan identified in the Illness and Injury Prevention Program Policy.

### 3.4 FIRE CHIEF RESPONSIBILITIES

The Fire Chief shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the District shall be filed in the member's confidential medical file.

## 4. OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Assistant Chief/ Director through the chain of command and a copy sent to the Administrative Services Director.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

## 5. SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to the Fire Chief and the Administrative Services Director as soon as possible.

### 5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Fire Chief with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Fire Chief and the Administrative Services Director. The purpose of such notice is to permit the District to determine whether the offered settlement will affect any claim the District may have regarding payment for damage to equipment or reimbursement for wages

against the person who caused the disease or injury, and to protect the District's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

# Policy 1033 – Transitional Duty Assignments

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Last Revision: 04/20/2022

## 1. PURPOSE AND SCOPE

This policy establishes procedures for providing transitional duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, District rules, or current memorandum of understanding.

The Transitional Duty program is a benefit provided to approved employees, which may be in addition to or coordinated concurrently with other employee benefits or rights. It will not be interpreted to negatively impact any employee rights or entitlements under the Arizona worker's compensation laws, the American Disability Act, Family Medical Leave Act and/or other similar benefits and entitlements.

## 2. POLICY

Subject to operational considerations, the Superstition Fire & Medical District may identify Transitional Duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. Transitional Duty is available for non-work-related injuries at the discretion of the Fire Chief or designee. In all cases, employees requiring Transitional Duty for work related injury, illness or disease will be given priority over non-work-related cases.

Any employee who is unable to return to full duty as a result of a work or non-work-related injury, illness or disease any time before, during or at the end of his/her Transitional Duty assignment will be referred to Human Resources for options, if any, regarding his/her job status. Referrals to Human Resources may occur at any time such opinion is rendered by either the employee's attending physician or designated District physician.

In an effort to ensure maximum staffing utilization in achieving SFMD goals, the District reserves the right to reassign employees during any Transitional Duty assignment. Reassignment may include a change of work hours and schedule, location or department within the District.

Transitional Duty assignments will be worked on a 40-hour workweek, as approved by the assigned supervisor unless a reduced workweek schedule is ordered by a physician.

While assigned Transitional Duty, employees may continue to wear department uniforms per policy, or dress consistent with the work group to which they are assigned. Exceptions may be granted if an employee's medical condition warrants or as directed by a physician.

Transitional Duty work assignments are typically based on the physician's Medical Tracking/Work Status Report, organizational needs, and employee's skills. These work assignments are at the discretion of the employee's Assistant Chief/Director or the authorized designee.

The District reserves the right to require an examination by a physician designated by the District and at the District's expense to determine if the employee's condition qualifies for the Transitional Duty Program.

## 2.1 WORK RELATED INJURY

District employees are covered by the District under the Arizona State Worker's Compensation Act against injury, illness or disease occurring in the course of District employment. Transitional Duty will be assigned in cases of work-related injury, illness or disease after receipt of an acceptable medical report typically a Medical Tracking/Work Status Report from the attending worker's compensation physician placing the employee on Transitional Duty. Transitional Duty eliminates, minimizes or modifies lifting, walking or other physical or mental requirements that prevent an employee from returning to full duty and will be selected in accordance with the employee's physical limitations as documented by the physician's Medical Tracking/Work Status Report or an equivalent form. It may also entail performing all duties of his/her regular position on a part-time basis or with medically imposed limitations. This policy includes all District employees, including those working a 56-hour and 40-hour work schedule. Transitional Duty assignments will be matched with the employee's skills and experience levels whenever possible.

Employees required to attend scheduled medical and/or physical therapy appointments as a result of a work-related injury, illness or disease, will be released from work to attend these appointments and will not be required to utilize sick, vacation, or unpaid leave if such appointments occur during his/her Transitional Duty assignment work schedule. Employees should schedule these appointments early or late in the workday to avoid any disruption of work.

## 2.2 NON-WORK-RELATED INJURY

Employees injured or medically unable to perform the essential functions of his/her position due to non-work-related incidents may request a Transitional Duty assignment through their Assistant Chief/Director or the authorized designee. The request will be reviewed by the Fire Chief or designee based on the availability of transitional work duties matching the employee's skills and within the limitations indicated on the Medical Tracking/Work Status Report.

Employees must use sick or vacation leave for all non-work-related cases if medical and/or physical therapy appointments cannot be scheduled outside of his/her assigned work schedule.

## 3. GENERAL CONSIDERATIONS

The District reserves the right at any time to re-evaluate the necessity for and the duties of a Transitional Duty assignment and the performance of any employee in such assignment.

Transitional Duty is a temporary assignment with a limited term of 180 calendar days. One request for extension of transitional leave beyond 180 calendar days, for a specified period of time (not to exceed an additional 180 calendar days), may be submitted to Human Resources for consideration. Extensions may be authorized by the Fire Chief on a case-by-case basis if the medical evidence indicates recovery within twelve months from the initial date of work restrictions.

Should an employee on Worker's Compensation Leave or Transitional Duty be unable to return to full duty at the end of the extension (365 calendar days maximum), the employee may be medically separated from the District due to the inability to perform the functions of the job, as permitted by law.

If an employee who was on approved Worker's Compensation Leave or Transitional Duty returns to full duty and works for 1 – 89 calendar days and suffers an aggravation of the same injury or re-injury of the same type or body part, then the original date of work restrictions will be utilized in calculating the 365-calendar day maximum.

If an employee who was on approved Worker's Compensation Leave or Transitional Duty returns to full duty and works for 90 plus calendar days and is re-injured, then an additional 90 calendar days will be given.

If an employee who was on approved Worker's Compensation Leave or Transitional Duty returns to full duty for 18 months and is re-injured, the employee may qualify for additional time.

If an employee who was on approved Worker's Compensation Leave or Transitional Duty returns to full duty and works for 90 plus calendar days, but is later re-injured with a new injury, the employee will qualify for additional time under the Transitional Duty/Worker's Compensation leave Status for the new injury.

The Family Medical Leave Act (FMLA) affords eligible employees with 12 weeks of job protection per year and may run concurrent with Worker's Compensation and non-work-related injuries, illnesses and diseases. Refer to Human Resources for details pertaining to FMLA.

Employees placed on no-work status are not allowed to participate in Fire Department or District sponsored activities and any approved secondary employment is suspended except as approved by the Fire Chief or designee.

Employees on Transitional Duty assignment may attend Fire Department or District sponsored training if such training complies within the limitations set by his/her physician.

#### **4. PROCEDURE**

##### **4.1 WORK RELATED OR NON-WORK-RELATED INJURY, ILLNESS OR DISEASE**

After initial medical treatment, the attending physician will complete a Medical Tracking/Work Status Report. If the physician assigns no-work status or limited-work status, the following process applies:

1. If the attending physician issues a no-work or limited work status, the employee (if physically able) is required to submit a copy of the physician's Medical Tracking/Work Status Report to Human Resources and to the employee's chain of command, immediately after the appointment.
  - a. Submittal of the Medical Tracking/Work Status Report may be done electronically
2. Human Resources will:
  - a. Make the necessary notifications
  - b. Contact the employee, informing him/her of all necessary requirements and pertinent information involving the Worker's Compensation Claim and Transitional Duty program

3. The employee must provide an updated Medical Tracking/Work Status Report form to Human Resources after every doctor's appointment related to the injury, illness or disease for which the employee is on no-work status or limited work status.
4. When applicable, the Battalion Chief will manage vacancies created by the employee's no-work or limited work status.

Human Resources can be contacted for questions relating to the Transitional Duty process or an incident resulting in a work-related injury, illness or disease.

If an employee is unable to perform his/her Transitional Duty assignment due to an aggravation of the injury, illness or disease or any change in an employee's condition that appears to be outside the parameters of the latest on-file physician's Medical Tracking/Work Status Report, the employee must be taken to his/her attending physician for re-evaluation and Human Resources must be notified. A Medical Tracking/Work Status Report form from this appointment must be submitted to Human Resources before the employee is approved to return to Transitional Duty.

In accordance with District policy, employees are eligible for a variety of leaves in the event of accident, injury, illness, death, required jury duty, military service, and other reasons while working a Transitional Duty assignment through the employee's chain of command.

In all cases, employees requiring Transitional Duty for work related injury, illness or disease will be given priority over non-work-related cases.

## 4.2 COMPENSATION

District employees will retain specialty pay while on Transitional Duty. Skills associated with specialty pay will be utilized and considered when making Transitional Duty assignments.

Forty (40)-hour shift differentials do not apply to Transitional Duty assignments.

Employees are not eligible to work overtime hours while working a Transitional Duty assignment except as approved by the Fire Chief or designee.

Injuries that are considered long-term (over 90 days) may result in the employee being transferred from a 56-hour workweek schedule to a 40-hour workweek schedule. Employees transferring from a 56-hour workweek to a 40-hour workweek will have accrued sick and vacation leave balances converted to and accrued at the 40-hour rate. Sick and vacation balances and accrual rates will be converted back to the 56-hour rate when the employee returns to that work schedule. In addition, employees transferred to a 40-hour workweek will not be eligible for or receive scheduled FLSA overtime pay during the time they are on the 40-hour schedule. FLSA eligibility will reinstate when the employee returns to a 56-hour workweek schedule.

#### 4.3 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professional(s) stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The District, on a case-by-case basis, may require a return to duty evaluation and/or reintegration process prior to returning an employee to full duty status.

#### 4.4 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)).

A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

##### Notification

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the District's personnel rules and regulations regarding family and medical care leave.

#### 4.5 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a transitional duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

#### 4.6 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to transitional duty shall maintain all certifications, training and qualifications appropriate to both their regular and temporary duties, provided that the certifications, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to transitional duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

### 5. ACCOUNTABILITY

#### 5.1 EMPLOYEE RESPONSIBILITIES

In accordance with District policy, every employee must immediately report every work-related injury, illness or disease, regardless of severity, to his/her supervisor.

Employees with an injury or illness on duty that requires medical intervention may not return to the workplace until a Medical Tracking/Work Status Report form completed by his/her attending physician has been provided and reviewed by the District's Human Resources division.

The employee is required to report to the designated District Human Resources representative after each visit to the attending physician and provide a completed Medical Tracking/Work Status Report. Timely notification to Human Resources is required in order to make proper notification for staffing purposes, medical referrals, etc. This notification may be made by phone or email if circumstances dictate.

Upon release to transitional duty, the employee is required to report to Headquarters directly after the appointment the attending physician places them on Transitional Duty. If the employee cannot meet this expectation, a phone call to their Assistant Chief/Director or the authorized designee is required. Failing to report to, or refusal of, a reasonable Transitional Duty assignment may result in the loss of worker's compensation pay and potential corrective action/discipline

After receiving a physician's conditional work release for a non-work-related injury, illness or disease, the employee may request a Transitional Duty assignment through his/her chain of command. Transitional Duty assignments are limited based on organizational needs and are at the discretion of the Fire Chief or designee and Human Resources.

Employees assigned to Transitional Duty must ensure that his/her work activities comply with the limitations set forth by the accepted physician's work release. While the employee's Assistant Chief/Director or the authorized designee is responsible for assigning duties based on the physician's Medical Tracking/Work Status Report, the employee is ultimately responsible for his/her physical actions and is expected to communicate with his/her supervisor when duties appear to conflict with the physician's medical release limitations.

## 5.2 EMPLOYEE'S IMMEDIATE SUPERVISOR

In accordance with District policy, all incidents involving a work-related injury, illness or disease must be reported to the employee's immediate supervisor within twenty-four (24) hours, or sooner, if impacting daily staffing.

For 56-hour personnel, if off-duty, the employee must also notify the on-duty Battalion Chief within twenty-four (24) hours, or sooner, if impacting daily staffing.

## 5.3 BATTALION CHIEF

For 56-hour personnel, the employee's Battalion Chief must ensure all vacancies are appropriately staffed for all on-duty and off-duty injuries. The Battalion Chief shall follow up on the completion of all required documentation for on-duty injuries and provide notification to Human Resources of any employee sustaining an off-duty injury that is reported through the chain of command.

#### 5.4 ASSISTANT CHIEF/DIRECTOR

The Assistant Chief/Director or the authorized designee, of each division is responsible for the administration of the Transitional Duty Policy for his/her division and ensuring proper direction and supervision of Transitional Duty employees assigned to his/her cost center. Transitional Duty work assignments will be designated as necessary and according to the limitations set by the attending physician's conditional work release.

#### 5.5 HUMAN RESOURCES

Human Resources will act as case facilitator and the department liaison on all work-related injury, illness or disease cases. These responsibilities include:

1. Monitor all injury, illness or disease cases, regardless of whether they are work-related or non-work-related, and review all written reports for accuracy
2. Assist Assistant Chief/Director with the administration of the Transitional Duty Program
3. Supply all necessary paperwork to employees participating in Transitional Duty assignments
4. Make weekly and timely notifications and updates of all work-related injury, illness or disease cases to Assistant Chief/Director and Fire Chief

# Policy 1034 – Release of HIPAA Protected Information

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish a pre-authorization process for the release of a member's protected health information (PHI), which is protected by Health Insurance Portability and Accountability Act (HIPAA) regulations, in the event of an on-duty injury or illness.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to allow members to complete a pre-authorization for the release of their PHI to a family member or other specific individuals in the event the member becomes injured or ill on-duty.

## 3. GUIDELINES

The Fire Chief or the authorized designee should ensure procedures are in place to address:

1. The right of members to voluntarily complete a pre-authorization for the release of PHI to a family member or other specific individuals.
2. Storage and security of completed pre-authorization forms.
3. Supervisor access to completed forms during both business and non-business hours.
4. Expiration and renewal requirements for the pre-authorization form.
5. Situations or circumstances in which members can expect the District to release their PHI to the pre-authorized family member or other specific individual.

# Policy 1035 – Return to Work

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the process through which an employee who has been off work for an extended period of time due to an injury or illness may return to work.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Interactive process** - An informal meeting between employer and employee, designed to identify the precise limitations resulting from a disability and any potential reasonable accommodations that could overcome those limitations and allow the employee to return to work, either in their usual and customary position or some other type of work.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to assist injured employees, to the extent reasonably practicable, in returning to work as soon as they are medically able to perform meaningful work for the District.

## 3. EMPLOYEE RESPONSIBILITIES

It is the employee's responsibility to inform the District of his/her absence and to immediately advise the District when the employee believes that he/she will be medically released to return to work, with or without restrictions. If practicable, the employee shall provide advance notice of his/her potential return to work and shall provide written medical verification of the clearance and any restrictions.

If an employee has restrictions prescribed by a qualified health care professional, it is the responsibility of the employee to ensure he/she is not performing work that violates any restriction. If the employee believes he/she has been requested or directed to perform work that violates the restrictions, the employee should make a prompt report to the Department of Human Resources.

## 4. DISTRICT RESPONSIBILITIES

The District will evaluate the employee's request to return to work and the written medical verification, and will consult with the Department of Human Resources in order to make a determination whether:

1. The employee may return to full duty based on the medical verification provided by the employee.
2. The employee may return to work to a temporary modified-duty assignment and whether the District has a need that fits with the employee's restrictions.

3. The employee should have a fitness-for-duty evaluation.
4. The employee has reached a permanent and stationary rating and it is necessary to engage in an interactive process to determine a reasonable accommodation.

The Department of Human Resources, in consultation with the district representative, should make a recommendation to the Fire Chief or the authorized designee regarding the status of the employee. The Department of Human Resources should communicate with the employee about plans for the employee to return to work, after consulting with the Fire Chief or the authorized designee.

# Policy 1036 – Line-of-Duty Death

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide the necessary guidelines and protocol for a line-of-duty death.

The death of any district member while on-duty, while traveling in connection with such duty or while engaged in firefighting or Emergency Medical Services (EMS) activities off-duty, is considered a line-of-duty death. When the cause of death is a heart attack, stroke, or vascular rupture, within 24 hours of on-duty activities, the death shall be considered a line-of-duty death. The death of any district member while undergoing medical treatment for any injury or disease potentially resulting from a job duty may be medically determined to be a line-of-duty death and for purposes of this policy may be handled as a line-of-duty death.

This policy defines and describes the guidelines and responsibilities to be followed in the event of a line-of-duty death and can be escalated in the event of multiple deaths or when a number of district members are seriously injured.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to assist and support the family members and coworkers of fallen members to the extent reasonably practicable, while also investigating the cause of death, making appropriate notifications and fielding press inquiries.

## 3. RESPONSIBILITIES

### 3.1 FIRE CHIEF

In the event of being notified of a line-of-duty death, the Fire Chief or the authorized designee should:

1. Conduct briefings in order to communicate activities to the assigned officers.
2. Make an announcement to the District at the appropriate time. Immediately after the announcement, all flags at fire stations and other district facilities should be lowered to half-staff and all badges should be shrouded. Flags should remain at half-staff and badges shrouded for a specified time, but in no event should that be for longer than 14 days.
3. Request that the Administrative Services Division assemble personal data, such as date of birth, file photograph, marital status, dependents and names of next of kin to facilitate the application for state and federal line-of-duty death benefits.
4. Assign a chief officer to act as the auditing officer to secure the personal effects of the deceased and deliver them to the Administrative Services Division.
5. Assign a Family Support Liaison to facilitate communication between the deceased member's family and the District.

6. Document all actions, contacts, requests and other pertinent data.
7. Provide briefing to labor representatives regarding the incident and the deceased member only as is necessary to initiate labor organization benefits and honors.
8. Preserve any equipment, turnouts and breathing apparatus used by the deceased firefighter for the investigation.

The Fire Chief should determine the need to request outside resources to assist in the staffing or investigation of the incident, as needed.

### 3.2 BATTALION CHIEF

In the event of a line-of-duty death, the Battalion Chief or the authorized designee shall:

1. Secure the scene of the incident with the assistance of the Incident Commander, fire investigation personnel and local law enforcement.
2. Immediately notify the Assistant Chief/Director and the Fire Chief.
3. Preserve any equipment, turnouts and breathing apparatus used by the deceased firefighter for the investigation.
4. Preserve all tactical worksheets, video and/or audiotapes for the investigation.
5. Gather all available information concerning the incident and circumstances leading to the death.
6. Consider the need for members at the incident to have access to Critical Incident Stress Debriefing (CISD) services.

### 3.3 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the Public Information Officer (PIO) shall:

1. Collect facts of the incident from the Battalion Chief or the authorized designee and keep in contact to maintain available current information and direction on what information should be released.
2. Withhold any release of personal information relating to the member's death pending notification of next of kin and until approval is given by the Fire Chief or the authorized designee.
3. Instruct the involved incident crews that they shall not release any statements to the media or anyone else and should direct any inquiries to the PIO.
4. Prepare a written press release.
5. Ensure that the release of any member medical information complies with the Health Insurance Portability and Accountability Act (HIPAA) and the Patient Medical Record Security and Privacy Policy in this manual.

### 3.4 AUDITING OFFICER

The auditing officer is responsible for ensuring the security and proper disposition of the personal effects of a member in the event of his/her line-of-duty death. Personal effects include all property owned by the deceased member that is kept on district property, as well as personal items on the person of the member once those items have been released by investigators, in accordance with the Line-of-Duty Death and Serious Injury Investigations Policy.

In the event of a member's line-of-duty death, whether on- or off-duty, the following steps shall be followed in gathering and disposing of his/her personal effects:

1. All personal effects at the station shall be taken to the Administrative Services Division to be kept in a secure location.
2. The deceased member's vehicle will be secured at the work site and the keys forwarded to the Administrative Services Division and secured.
3. A designee from the Administrative Services Division should conduct an inventory of all personal items received and make a written report.
4. The next of kin will be given priority consideration to receive the member's property. Care should be exercised in selecting a tactful time for the delivery of personal effects to the next of kin. Documentation is required indicating the date, time and location of the disposition of the property. The name and the relationship of the individual accepting the property will also be noted. The documentation will be forwarded to the Administrative Services Division for placement in the deceased member's personnel file.

### 3.5 ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division will have the following responsibilities:

1. Receive, inventory and secure the deceased member's personal belongings and hold them until such time as the investigation team approves their release.
2. Establish the deceased member's survivor benefits (e.g., workers' compensation, life insurance, unused medical leave, retirement benefits, other salary pay, vacation pay).
3. Review the Public Safety Officers' Benefit Act to determine benefits and process for securing benefits for surviving next of kin.
4. Assist and coordinate with the next of kin in the process of securing all of the benefits to which the survivor is entitled.

## 4. FAMILY SUPPORT LIAISON

The appointed Family Support Liaison should conduct all duties in accordance with the Family Support Liaison Policy.

## **5. FUNERAL ARRANGEMENTS**

Funeral arrangements should be made in accordance with the Funerals Policy.

## **6. LINE-OF-DUTY DEATH INVESTIGATIONS**

For line-of-duty death investigation procedures, see the Line-of-Duty Death and Serious Injury Investigations Policy.

# Policy 1037 – Line-of-Duty Death and Serious Injury Notification

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to describe the communication activities that should occur in the event a member is seriously injured or killed in the line of duty. The policy establishes a priority for notifications, outlines steps for conducting each set of notifications and identifies roles and responsibilities.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to ensure, to the extent reasonably practicable, that immediate and compassionate notification is made to the family of members who are seriously injured, hospitalized or killed in the line of duty. The District shall make it a priority to offer assistance and support to the member's family.

## 3. PROCEDURE

1. For the purposes of this policy, a serious injury or hospitalization is defined as a medical condition that is life-threatening or has the potential to disable the member for a substantial period of time, including inpatient hospitalization, amputation and loss of an eye.
2. The Incident Commander (IC) or Battalion Chief at the scene of the serious injury or death will immediately notify the Fire Chief or designee and provide the necessary information.
3. The Fire Chief or designee will be the point of contact for making assignments and will coordinate actions with the Senior Leadership Team and others.
4. All inquiries related to the incident should be referred to the Public Information Officer (PIO).
5. In the event of the death of a member, the Assistant Chief of Operations must immediately initiate the procedures in the Line-of-Duty Death and Serious Injury Investigations Policy.

## 4. DEATH NOTIFICATIONS

The Fire Chief, in coordination with the Senior Leadership Team, will assign a two-person notification team to locate and inform the member's family. If more than one member has been seriously injured or killed in an incident, separate teams will be assigned to each affected family. The team should:

1. Contact the Administrative Services Division to obtain information regarding the member's next of kin.
2. Call back operations staff, if necessary.

#### 4.1 NOTIFICATION TEAM RESPONSE

The notification team shall make the necessary family notification as quickly as practicable, with the goal of making the notification within two hours of the Battalion Chief learning of the serious injury or death. The following should be considered when planning the notification:

#### 4.2 NOTIFYING THE FAMILY

The team members should adhere to the following notification guidelines:

1. The team should not park directly in front of the family's home or workplace. The person who will make the notification should make introductions at the door and ask to be invited in.
2. In most cases, if a chaplain is part of the notification team, he/she should make the notification.
3. Notification should be made briefly and directly.
4. Information regarding precipitating factors or information that is not verified should not be provided until an investigation has been completed.
5. Team members should communicate the support and sympathy of the Fire Chief and all members of the District.
6. Team members should ask family members whether they would like the team to notify other parties, such as clergy or grief counselors.

#### 4.3 NOTIFICATION OF FAMILY OUT OF THE AREA

If the immediate next of kin of the deceased employee lives more than two hours away, the Fire Chief may make arrangements to have someone in the family's area make the notification. The following should be considered:

1. Whether the notification should be made by the local clergy or another person in the area who has a relationship with the family or with the assistance of the local fire department/law enforcement.
2. Whether the fire department in the family's city of residence may be the most appropriate entity to make the notification or whether that department can assist in obtaining information about the family.
3. Whoever is selected to make the notification should be provided with the information contained in this policy.
4. The notification plan must include a coordinated telephone call with the family and the Fire Chief.

#### 4.4 INTERNAL DISTRICT NOTIFICATIONS

The following internal notifications should be made in advance of any media release:

1. All on-duty Battalion Chiefs should be notified.
2. All members should be notified as soon as possible after the family notification is made.

#### 4.5 GOVERNING BODY AND LABOR NOTIFICATIONS

The Battalion Chief will ensure that additional notifications are made as required, after the next- of-kin notification. Notifications that are required as soon as practicable after a confirmed line-of- duty death or serious injury include the following:

1. Elected officials or board of directors
2. Fire Board of Directors
3. Employee labor representatives
4. District Health and Safety Officer, who will make the necessary notifications in coordination with the Battalion Chief
5. Other notifications as determined by the Fire Chief

#### 4.6 EXTERNAL NOTIFICATIONS

The following external notifications will be made:

1. Notification to the Arizona Office of the State Fire Marshal
2. Notification to the Arizona Division of Occupational Safety and Health (ADOSH) of work-related fatalities within eight hours and serious injuries including all inpatient hospitalizations, amputations and losses of an eye within 24 hours
3. Notification to the Arizona Local Assistance State Team (AZ L.A.S.T.)
4. Notification to the National Institute for Occupational Safety and Health (NIOSH)
5. Notification to the U.S. Department of Justice Public Safety Officers' Benefit Program
6. Notification to the United States Fire Administration (USFA)
7. Notification to the National Fallen Firefighters Foundation (NFFF)
8. Notification to other agencies as mandated by federal and state law and local ordinance

### 5. FAMILY SUPPORT

The Fire Chief should appoint a Family Support Liaison, who should refer to the Family Support Liaison Policy for duties and responsibilities.

In the event of a line-of-duty death, the Fire Chief or the authorized designee should appoint a funeral detail officer to administer the Funerals Policy.

## **6. NEWS MEDIA AND COMMUNITY RELATIONS**

It is the policy of the Superstition Fire & Medical District to follow the News Media and Community Relations Policy when communicating with the media. In the case of a line-of-duty death, additional considerations include, but are not limited to:

1. The employee's family must have received proper notification prior to any information regarding the identity of the deceased being released to the media.
2. All information must be validated prior to its release to the media.

The PIO or the authorized designee shall be the spokesperson on most aspects of these events. However, the announcement or confirmation of a line-of-duty death and/or the release of the employee's name should be made by the Fire Chief or the authorized designee.

Prior to confirmation that the employee's family has been notified, no details will be released concerning the death. If the news media is on-scene and are aware of the death, the PIO will simply confirm that a death has occurred and communicate the district's compassion and concern for the employee's family and colleagues. The PIO will advise the media that the full details will be provided as soon as they are known and after proper notification of next of kin has been made.

If an employee death occurs in the midst of ongoing news coverage of a fire or other emergency, the PIO will focus on handling the details concerning the death. Another trained spokesperson will be assigned to handle the media relations for the incident.

## **7. SERIOUSLY INJURED OR HOSPITALIZED EMPLOYEE**

Some of the notification and support procedures described in this policy for a line-of-duty death may be applied to any instance of an employee who has been seriously injured in the line of duty, except as noted below:

1. If the seriously injured employee has been taken to a hospital, an Assistant Chief/ Director should assign the Deputy Chief or a Battalion Chief who is not involved in the incident to go to the hospital and become the hospital liaison.
2. The hospital liaison should establish communications with the hospital and report regularly to the Fire Chief and Senior Leadership Team on the employee's condition.
3. A representative of the employee's labor organization will also be sent to the hospital, if possible.

The hospital liaison and labor representative should work cooperatively for the benefit of the employee and his/her family. In addition, the Fire Chief should ensure close coordination with the treating medical facility.

# Policy 1038 – Family Support Liaison

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the position, role and responsibilities of the Family Support Liaison. The procedure describes the conditions under which the position is activated and identifies the district personnel responsible for the activation.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to assign a member to act as a Family Support Liaison, as soon as practicable, to the family of any member who has been seriously injured or has died in the line of duty. The member assigned should be the most appropriate person for the circumstances, without regard for rank.

## 3. PROCEDURE

### 3.1 LIAISON ACTIVATION CRITERIA

The District will assign a member to the Family Support Liaison position whenever any district member has been seriously injured or has died in the line of duty. At the discretion of the Fire Chief, the position may be activated and filled in the event of an off-the-job serious injury or death or in the event of a member's catastrophic loss.

### 3.2 LIAISON ROLE AND RESPONSIBILITIES

The Family Support Liaison will coordinate the needs and wishes of an employee's family with the responsibilities and needs of the District and will represent the District in helping meet the needs of the employee's family by communicating directly with the Fire Chief or the authorized designee. Responsibilities shall include, but are not limited to:

1. Establish ongoing communication with the member's Battalion Chief and obtain a briefing regarding circumstances of the event, family contacts up to the present and other relevant information.
2. Establish contact with family members. Identify immediate needs and questions and provide appropriate solutions or responses. Relay any unfilled needs and unanswered questions to the Fire Chief.
3. Coordinate or provide transportation to hospitals, places of worship and/or other appropriate locations.
4. Within 24 hours of an employee's line-of-duty death, arrange for the Fire Chief to visit the family.

5. Establish contact with the district Public Information Officer and coordinate media information needs, while considering the privacy wishes of the family.
6. Coordinate with local law enforcement to provide for the physical security of the family.
7. Establish communications with other support personnel or groups, including district chaplains, employee associations, human resources representatives and appropriate labor organizations.
8. If appropriate, coordinate with the district-appointed funeral detail officer.
9. Ensure the family knows how to reach him/her and establish a time to contact the family in the future.

### 3.3 SELECTION AND REPORTING REQUIREMENTS

The affected member's Battalion Chief will select the Family Support Liaison. The following guidelines should be used for selection:

1. The liaison should be an individual the family knows and with whom they are comfortable working.
2. If the family has no preference, the selection may be made from names recommended by the affected member's supervisor and/or coworkers.
3. The liaison should report directly to the affected member's Battalion Chief.
4. If the selected liaison does not already have an assigned district cellular telephone, one should be assigned to facilitate the necessary communications.

# Policy 1039 – Funerals

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## 1. PURPOSE AND SCOPE

It is the intent of this policy to ensure that every member of the District, both active and retired, who passes away may be offered the option of a funeral or assistance from the District. These guidelines will ensure proper support and care of the family and the posthumous honoring of a member of the District.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Level I, Line-of-Duty Death** - Considered for all firefighters (career, reserve and volunteer) of the District who die as a direct result of injuries suffered at the scene of any emergency incident or while responding to or returning from the scene of an emergency incident. This includes medical conditions (e.g., heart attack) that result in the death at the scene of an emergency. Also, when the cause of death is a heart attack, stroke, or vascular rupture, within 24 hours of on-duty activities, the death shall be considered a line-of-duty death.

**Level II, On-Duty Death** - Pertains to all firefighters of the District who die while on-duty, but not due to injuries sustained while performing emergency activities. This includes firefighters whose death is a direct result of medical treatment or complications arising from a previous on-duty injury.

**Level III, Active Employee Off-Duty** - The death of an active firefighter that occurs while the firefighter is off-duty and the death is not related to any emergency activity.

**Level IV, Retired Employee or Staff Professional** - The death of a retiree or professional staff employee of the District. Level IV may also include a dignitary closely associated with the District, as designated by the Fire Chief, and upon whom the District wishes to bestow funeral honors. The death of a retired Fire Chief may be considered as a higher level, at the district's discretion.

**Level V, Death of a Family Member** - The death of a family member of an active firefighter, retiree or staff professional of the District. Level V may also include a family member of a dignitary closely associated with the District as designated by the Fire Chief, and upon whom the District wishes to bestow funeral honors.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District for the Fire Chief or the authorized designee to make the necessary assignments and coordinate actions with other district representatives any time the District learns that an active or retired employee has passed away. Activities should be in accordance with the Line-of-Duty Death, Line-of-Duty Death and Serious Injury Notification and Family Support Liaison policies.

If a responsible family member requests district assistance, the Fire Chief or the authorized designee should appoint, with the approval of the family member, an employee to act as a funeral detail officer and oversee all of the arrangements. The Fire Chief may deny the option of district participation if the circumstances of the member's death may reasonably bring discredit to the District.

The Fire Chief or the authorized designee should determine the highest level of participation the District can provide, based on the cause of death.

### **3. LEVEL OF PARTICIPATION**

The desires of the family are paramount and shall be given fullest consideration; however, the district's funeral participation will be conducted according to the following guidelines:

1. A Level I funeral may include Level II criteria and any of the following:
  - a. Crossed ladders
  - b. Supreme Sacrifice Medal
  - c. Helicopter fly-over
2. A Level II funeral may include Level III criteria and any of the following:
  - a. Fire engine or caisson with casket
  - b. Cordon of fire apparatus of both the District and visiting agencies
3. Level III funeral may include Level IV criteria and any of the following:
  - a. Casket draped with the U.S. flag
  - b. Honor Guard as pallbearers
  - c. Procession with district apparatus from the firefighter's current battalion
  - d. Bugler
  - e. Bell ceremony
4. Level IV funeral may include:
  - a. Hearse with casket
  - b. Apparatus from last assignment (if appropriate)
  - c. Honor Guard
  - d. Pipe and drum band
  - e. Administration and logistic support as needed
  - f. Uniformed personnel
  - g. Flag folding (if appropriate)

5. Level V funeral honors may include (with the approval of the Fire Chief):
  - a. One piece of apparatus to be used as a static display (not to be included in a procession)
  - b. Honor Guard (if appropriate)
  - c. Uniformed personnel

#### 4. ROLES AND RESPONSIBILITIES

The Fire Chief or the authorized designee may appoint one or more of the following positions to provide assistance with the funeral arrangements:

- **Family Support Liaison** - Any district member who is a close friend of the family and will make reasonable efforts to address the needs and desires of the family, communicate between the District and the family and coordinate details with the Officer in Charge.
- **Funeral detail officer** - An employee who is appointed by the Fire Chief to oversee all arrangements for a funeral.
- **Head usher** - The head usher is responsible for seating and parking arrangements at the funeral services, both at the church and at the grave site.
- **Honor Guard Commander/Officer in Charge of the Honor Guard and pipe and drum band** - This position will be filled by a member of the Honor Guard and will be responsible for the coordination of the Honor Guard, Color Guard and the pipe and drum band.
- **Honorary pallbearers** - Honorary pallbearers are those selected by the family. They will follow the casket from the location of the services to the grave site.
- **Logistics officer** - The logistics officer is charged with preparing the apparatus, vehicles, equipment and facilities for the funeral services.
- **Officer in Charge/detail officer** - Selected by the Fire Chief or the authorized designee, the detail officer is the person in charge of the overall district participation and is responsible for the coordination between the funeral director, the chaplain and the Family Support Liaison.
- **Public agency liaison (as needed)** - The public agency liaison will coordinate any interaction with other public agencies that wish to participate in the services.
- **Public Information Officer (as needed)** - The Public Information Officer will coordinate all media and public relations issues.
- **Pallbearers** - The pallbearers will be members of the Honor Guard, unless otherwise requested by the family.
- **Protocol liaison** - Appointed by the Fire Chief or the authorized designee, the protocol liaison will provide direction, advice and clarification to the family regarding proper funeral procedures.
- **Transportation officer** - The transportation officer is responsible for all transportation of family members, pallbearers and escort detail from a pre-determined location to the location of the

services, from the service to the grave site and back to a pre-determined location (e.g., the family home, place of worship).

# Policy 1040 – Family and Medical Leave

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for managing unpaid leave for eligible employees for qualified medical and family reasons, including (29 USC § 2612):

- The birth, adoption, or foster care placement of a child.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition.
- When an employee is unable to work because of his/her own serious health condition.
- To care for a spouse, son, daughter, parent, or next of kin who is a service member of the United States Armed Forces and who has a serious injury or illness incurred in the line of duty.

This policy does not address all possible situations and circumstances that may arise when an employee requests leave for family or medical reasons. As these leave situations arise, supervisors should consult with the Department of Human Resources or legal counsel to obtain specific guidance regarding leave rights and obligations.

Nothing in this policy supersedes any provision of any Memorandum of Understanding, civil service or other local rule, or any law that provides greater family or medical leave rights.

### 1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - A child under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (29 USC § 2611; 29 CFR 825.102; 29 CFR 825.122). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, or foster child; stepchild; or a child for whom the employee is standing in loco parentis (in place of a parent).

**FMLA** - The federal Family and Medical Leave Act (29 USC § 2601 et seq.).

**Qualified health care professional** - A physician, surgeon, doctor of osteopathy, podiatrist, dentist, psychologist, optometrist, nurse practitioner, nurse midwife, clinical social worker, or physician assistant duly licensed and authorized to practice medicine; chiropractors for some purposes; any health care provider from whom the district benefits plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits (29 CFR 825.125).

**Spouse** - The person with whom an employee has entered into a marriage defined or recognized by the location in which the marriage was entered into (29 USC § 2611(13); 29 CFR 825.102; 29 CFR 825.122).

## **2. POLICY**

It is the policy of the Superstition Fire & Medical District to manage unpaid leave for eligible employees for qualified medical and family reasons in compliance with federal and state law and any applicable Memorandum of Understanding.

## **3. ELIGIBLE EMPLOYEES**

Employees are eligible for FMLA after working for the Superstition Fire & Medical District for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611; 29 CFR 825.110). Employees may not be eligible for leave if there are less than 50 other employees within 75 miles of the employee's work site.

## **4. TYPE AND DURATION OF LEAVE**

Generally, eligible employees are entitled under FMLA to 12 work weeks of unpaid leave during a 12-month period (29 USC § 2612; 29 CFR 825.100). Up to 26 weeks of unpaid leave during a single 12-month period may be available to care for certain injured military service members. The 12-month period is measured backward from the date leave is taken and continuously with each additional leave day taken.

### **4.1 SERIOUS HEALTH CONDITIONS**

Eligible employees may take up to 12 weeks of leave to care for a spouse, child, or parent with a serious health condition or when the employee is unable to work because of his/her own serious health condition (29 USC § 2612(a)(1); 29 CFR 825.200).

If both spouses are employed by the Superstition Fire & Medical District, the combined number of work weeks to care for a sick parent is limited to 12 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.201).

Generally, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves (29 USC § 2611; 29 CFR 825.113):

- An overnight stay in a hospital, hospice, or residential medical care facility (29 CFR 825.114).
- Continuing treatment by a qualified health care professional due to a serious health condition of more than three full consecutive calendar days (29 CFR 825.115(a)).
- Any period of incapacity due to pregnancy complications or prenatal care (29 CFR 825.115(b)).
- A chronic condition which requires treatment (29 CFR 825.115(c)).
- A permanent condition for which treatment may not be effective (such as Alzheimer's or the terminal stages of a disease) (29 CFR 825.115(d)).
- Any period of absence to receive multiple treatments, including any recovery period, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a

period of incapacity of more than three consecutive calendar days without medical intervention or treatment (such as cancer chemotherapy or physical therapy for arthritis) (29 CFR 825.115(e)).

#### 4.2 BIRTH OR PLACEMENT OF A CHILD

Eligible employees may take up to 12 weeks of leave for the birth, adoption, or foster care placement of a child of the employee (29 USC § 2612; 29 CFR 825.200). The leave must be concluded within one year of the birth or placement of the child (29 CFR 825.120; 29 CFR 825.121).

If both parents are employed by the Superstition Fire & Medical District, the combined number of work weeks of leave is limited to 12 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.120; 29 CFR 825.121).

#### 4.3 MILITARY EXIGENCY LEAVE

Eligible employees may take service member leave of up to 12 weeks for qualifying exigencies occurring because a spouse, child, or parent is on covered active duty or has been notified of an impending order to active duty (29 USC § 2612(a)(1)(E); 29 CFR 825.200). This type of leave is available to a family member of a person in the National Guard, Reserves, or members of the regular Armed Forces deployed to a foreign country. Qualifying exigencies include (29 CFR 825.126):

- Addressing Issues that arise from a short notice (seven or less days) deployment.
- Attending military events related to the active duty or call to duty.
- Attending family support or assistance programs.
- Making child care or educational arrangements or attending school activities arising from active duty or a call to active duty.
- Making financial and legal arrangements.
- Spending time with a military member who is on short-term rest-and-recuperation leave during a period of deployment.
- Attending post-deployment activities.
- Addressing issues that arise from the death of a military member, such as making funeral arrangements.
- Caring for a military employee's parent who is incapable of self-care, such as providing care on an immediate-need basis or arranging for alternative care.

#### 4.4 MILITARY CAREGIVER LEAVE

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active

duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform work (29 USC § 2612; 29 CFR 825.200).

Military caregiver leave is also available to family members of covered veterans who were members of the Armed Forces, including the National Guard or Reserves, at any point in the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy (29 USC § 2612; 29 CFR 825.127).

During the single 12-month period, employees are entitled to no more than a combined total of 26 weeks of FMLA leave. In any case in which both spouses are employed by the Superstition Fire & Medical District, the combined number of work weeks of leave is limited to 26 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.127).

Service member FMLA leave runs concurrent with other leave entitlements provided under federal, state, and local law. Where FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.

#### 4.5 INTERMITTENT LEAVE

An employee may take leave for the employee's own serious health condition, for the serious health condition of the employee's spouse, child, or parent, or to care for a covered service member with a serious injury or illness, intermittently or on a reduced schedule if medically necessary, and if that medical need can best be accommodated by an intermittent schedule as defined in federal law (29 USC § 2612(b); 29 CFR 825.202; 29 CFR 825.124).

Leave due to a military exigency may be taken on an intermittent or reduced-leave schedule (29 CFR 825.202).

Intermittent leave for the birth, adoption, or foster care placement of a child is only available if granted at the discretion of the Fire Chief, unless the employee has a serious health condition in connection with the birth or if the newborn child has a serious health condition (29 CFR 825.120; 29 CFR 825.121).

Intermittent leave for any employee shall be tracked and calculated.

#### 4.6 PREGNANCY DISABILITY LEAVE

Pregnant employees who are disabled by pregnancy may be entitled to a disability leave in addition to any FMLA leave. The duration of leave is dependent on the circumstances. The District shall defer to a pregnant member's qualified health care professional in assessing the member's ability to work.

### 5. EMPLOYEE BENEFITS WHILE ON LEAVE

While on leave, employees will continue to be covered by any group health insurance to the same extent that coverage is provided while the employee is on the job (29 USC § 2614(c); 29 CFR 825.209). However, employees will not continue to be covered under non-health benefit plans.

Employees are responsible for any health plan employee contributions while on leave (29 CFR 825.210). Employee contribution rates are subject to any change in rates that occurs while the employee is on leave. If an employee fails to return to work after his/her leave entitlement has been exhausted or expires, the District may recover its share of health plan premiums for the entire leave period unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member that would entitle the employee to leave, or because of circumstances beyond the employee's control (29 CFR 825.213). The District may recover premiums through deduction from any sums (e.g., unpaid wages, vacation pay).

Employees may not earn additional time off while on unpaid leave.

## **6. SUBSTITUTION OF PAID ACCRUED LEAVES**

Subject to applicable Memorandum of Understanding and civil service rules, employees are required to exhaust all applicable paid leave before taking unpaid leave. Paid accrued leave includes vacation leave, sick leave, personal leave and compensatory time earned in lieu of overtime, pursuant to the Fair Labor Standards Act, during FMLA leave. Employees may not use paid accrued leave to extend FMLA leave beyond 12 work weeks per year.

## **7. USE OF FMLA LEAVE**

If an employee takes a leave of absence for any reason that is FMLA qualifying, the District may designate that non-FMLA leave as running concurrently with the employee's 12-week FMLA leave entitlement.

## **8. PROCEDURES**

The following procedures will apply for all employees requesting leave under FMLA:

1. When a leave is requested for a medical or other FMLA-related treatment appointment, the employee must make a reasonable effort to schedule the appointment at a time that minimizes disruption to the district's operations (29 USC § 2612; 29 CFR 825.302).
2. An employee who wishes to take FMLA must provide his/her supervisor with 30 days' advanced notice when the leave is foreseeable or as soon as practicable if the need for leave is not foreseeable (29 USC § 2612; 29 CFR 825.302; 29 CFR 825.303).
3. At the time of the request, the employee must complete a FMLA request form. Requests for medical leave shall be accompanied by a qualified health care professional statement, including the date on which the serious health condition began and the estimated date of return to work (29 USC § 2613; 29 CFR 825.302).
4. Once the leave is requested or designated by the District, the supervisor should forward the request and any medical certifications to the Department of Human Resources and ensure the employee is provided the necessary forms and FMLA information within five days (29 CFR 825.300).

5. Employees are required to provide medical certification of a qualified health care professional or military documentation, if requested (29 CFR 825.305; 29 CFR 825.308; 29 CFR 825.309; 29 CFR 825.310).
6. Employees shall be required to periodically report on their status and intent to return to work (29 USC § 2614; 29 CFR 825.311). This may assist in avoiding a delay in reinstatement when the employee is ready to return to work.
7. Employees returning from a medical leave from the employee's own serious health condition will be required to present medical verification from a qualified health care professional of the employee's ability to return to work and a list of any restrictions that need to be accommodated (29 USC § 2614; 29 CFR 825.100; 29 CFR 825.312).

## **9. REINSTATEMENT FOLLOWING LEAVE**

Generally, employees returning from FMLA leave within the qualified period will be restored to their original job or to an equivalent job with equivalent pay and benefits (but not seniority), unless the employee would not otherwise have been employed at the time reinstatement is requested (e.g., in the case of a layoff) (29 USC § 2614; 29 CFR 825.214; 29 CFR 825.216).

If the same position is no longer available, such as in a layoff, the employee will be entitled to a position that is comparable in pay, job content, and promotional opportunities and geographic location, if such a comparable position exists.

If upon return from leave an employee is unable to perform the essential functions of the job because of a physical or mental disability, the supervisor should work with the Department of Human Resources or legal counsel to engage in an interactive process with the employee to identify a potential reasonable accommodation.

After exhausting paid FMLA leave, non-paid leave will continue until the conclusion of the protected 12- or 26-week time limit. Following the protected leave, the Fire Chief, in consultation with the legal counsel or the Department of Human Resources, will determine whether non-FMLA leave should apply.

## **10. RESPONSIBILITY**

Supervisors should work with the Department of Human Resources or legal counsel regarding questions relating to leave or reinstatement from leave under this policy. The Department of Human Resources should advise the supervisor and inform members of their rights and responsibilities.

## **11. RECORDS**

The District will maintain leave-related records as required by 29 CFR 825.500 for at least three years and in compliance with the district's established records retention schedule.

Records and documents related to doctor certifications and other medical information created for purposes of complying with FMLA and this policy shall be maintained as confidential medical records in separate files from employee personnel files.

## **12. NOTICE TO EMPLOYEES**

The District should ensure that a notice explaining the FMLA's provisions and procedures is prominently posted in conspicuous places in the District where it can be readily seen by all employees and applicants for employment. Electronic posting is sufficient as long as the other posting requirements have been met as provided by 29 CFR 825.300 (29 CFR 825.300).

# Policy 1041 – Military Leave

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## 1. PURPOSE AND SCOPE

This policy provides general guidance regarding leave to perform military service as a member of the Reserves or National Guard, or for active duty in the U.S. Armed Forces (Uniformed Services Employment and Reemployment Rights Act (USERRA); 38 USC § 4301 et seq.).

This policy does not address every situation or circumstance that may arise when an employee is performing military service or ordered to active duty. As military leave situations arise, supervisors should consult with the Department of Human Resources or legal counsel to obtain specific guidance regarding military leave rights.

## 2. POLICY

The Superstition Fire & Medical District supports employees who may be called or who volunteer to serve in the military. The District will comply with USERRA and state laws relating to military leave.

## 3. MILITARY LEAVE

Generally, employees on military leave are entitled to the same rights and benefits that are provided to employees having similar seniority, status and pay who are on furlough or leave of absence (38 USC § 4316).

### 3.1 LENGTH OF LEAVE

Employees are entitled to military leave of absence for up to a maximum of five years. Military leave is available for both voluntary and mandatory service (38 USC § 4303; 38 USC § 4312).

There are exceptions to the five-year cumulative total, including inactive duty training (drills), annual training, involuntary recall or retention in support of war, national emergency, certain operational missions, or training or retraining requirements (38 USC § 4312).

### 3.2 TEMPORARY MILITARY DUTY LEAVE OF ABSENCE

An eligible employee who is a member of the National Guard or United States Armed Forces reserves is entitled to temporary military leave for any period for active duty, field training or to attend camps, maneuvers, formations or drills (ARS § 26-168; ARS § 38-610).

An eligible employee who is a member of any auxiliary of the United States Armed Forces is entitled to a temporary military leave not to exceed 30 days in any consecutive two-year period for training duty or to attend camps, maneuvers, formations or drills (ARS § 38-610).

For purposes of this section, a day means a shift of work (ARS § 26-168; ARS § 38-610).

#### **4. PROCEDURES AND RESPONSIBILITIES**

Employees requesting military leave shall:

1. Provide as much advance notice of the pending service as reasonably possible (38 USC § 4312).
2. Provide copies of official orders or other official documentation.
3. Select the benefit options desired during absence, if applicable.
4. Retain copies of all submitted documents.

Upon receipt of a request, the Superstition Fire & Medical District will determine eligibility for military leave and notify the employee in writing of the determination.

#### **5. COORDINATION WITH CONTRACTS, PRACTICES AND OTHER RULES**

Wherever USERRA has more generous protections and benefits than state or local law, any applicable collective bargaining agreement or local policy or practice, the District will apply the more beneficial right or benefit (38 USC § 4302).

#### **6. LEAVE ACCRUALS**

Employees are not required to use accrued leave while on military leave. However, employees may choose to use accrued annual leave or earned compensatory time, at their discretion (38 USC § 4316).

Employees will not accrue sick days or paid time-off days during any period of military leave without pay. However, upon return, military leave time will be included in determining leave accruals. For example, if vacation accrual increases from two weeks to three weeks upon completion of five years of service, then a person who works for two years, serves two years on active duty and then returns, would be entitled to three weeks of vacation one year after reemployment.

#### **7. COMPENSATION**

During approved military leave, employees are entitled to compensation as follows (ARS § 26-168; ARS § 38-610):

1. An eligible employee who is a member of any branch or reserve of the United States Armed Forces is entitled to 30 calendar days of paid leave in any consecutive two- year period for training duty or to attend camps, maneuvers, formations or drills.

2. An eligible employee who is a member of the National Guard or the National Disaster Medical System is entitled to 30 calendar days of paid leave in any consecutive two- year period for training duty.

## 7.1 HEALTH CARE BENEFITS

Employees on approved military leave may elect to purchase continuing health care coverage for a period of time that is the lesser of:

1. The 24-month period beginning on the first day of the employee's absence for military leave.
2. The period beginning on the first day of the employee's absence for military leave and ending on the date that he/she fails to return from service or apply for reemployment.

If the duration of an employee's approved military service is less than 31 days, the employee may purchase continuing health care coverage under the district's health plan for no more than the regular employee share. If the approved military service is 31 days or more, the District will charge the employee for no more than 102 percent of the full premium of the health care plan (38 USC § 4317).

## 8. RETURN FROM DUTY

Employees returning from approved military leave of absence must report to work as follows (38 USC § 4312):

1. For periods of service less than 31 days, employees must report back to work no later than the beginning of the first shift that begins on the first full day that follows the end of the employee's service period, plus a reasonable time to travel to the employee's residence, plus eight hours. If reporting within this period is impossible or unreasonable through no fault of the employee, the employee must return as soon as possible after expiration of the eight-hour period.
2. For periods of service of more than 30 days but less than 181 days, employees must submit an application for reemployment no later than 14 days after completing service, or, if impossible or unreasonable to do so through no fault of the employee, no later than the next first full calendar day when it is possible to do so.
3. For periods of service of more than 180 days, employees must submit an application for reemployment no later than 90 days after completion of service.

Employees who are recovering from an illness or injury incurred in or aggravated during military service must report to the District or apply for reemployment as provided in this policy at the end of the period necessary to recover from such illness or injury. The recovery period may not exceed two years, except when circumstances beyond the employee's control exist.

An employee who fails to report or apply for reemployment in a timely manner will be subject to the district's rules of conduct and established policies covering absence from scheduled work.

## 9. REEMPLOYMENT RIGHTS

An employee returning from an approved temporary military duty leave of absence is generally entitled to reinstatement to the position and benefits he/she would have attained if not absent for military duty or, in some cases, a comparable job (ARS § 26-168).

### 9.1 FORMER POSITION

An employee returning from approved regular active military leave is entitled to reinstatement in the position that he/she would have attained had the employee not taken leave. If the leave exceeded 90 days, the employee is also entitled to a position of like seniority, status and pay (38 USC § 4313).

If an employee returning from approved military leave is not able to perform the essential duties of the position the employee would have attained, the District will make reasonable efforts to help the employee become qualified (20 CFR 1002.198). If the employee remains unable to perform the essential duties of the position after the district's reasonable efforts, the employee is entitled to his/her previously held position at the time of departure or, in the case the leave exceeded 90 days, a position of like seniority, status and pay. Where an employee remains unqualified for both of these positions after reasonable efforts by the District, the employee is entitled to the nearest approximation to these positions (38 USC § 4313).

When a returning employee cannot become qualified because of a disability incurred in or aggravated during uniformed service, the District, after making reasonable accommodations, must find a position of equivalent seniority, status and pay for which the employee is qualified, or the nearest equivalent (38 USC § 4313; 20 CFR 1002.198).

### 9.2 COMPENSATION AND BENEFITS

Upon return from regular active military duty, an employee is entitled to seniority and seniority- based rights and benefits, including, but not limited to:

1. Receiving credit for the time spent in uniformed service under honorable conditions for purposes of seniority, retirement, promotion and merit salary increases (20 CFR 1002.210).
2. Receiving credit for time spent on approved military leave for purposes of calculating eligibility for leave under the Family and Medical Leave Act (20 CFR 1002.210).
3. Returning to the level in the salary range that the employee would have attained had he/she not left on approved military leave (20 CFR 1002.236).
4. Receiving the same contribution to retirement benefits upon reemployment that the District would have contributed had he/she not taken leave (20 CFR 1002.261).
5. Being treated as not having a break in service for purposes of participation, vesting and accrual of pension benefits (38 USC § 4316; 38 USC § 4318).
6. Reenrolling in district health benefits without any waiting period.

7. Restoring benefits that were elected by the employee and his/her dependents at the time military service began, as well as to any other benefits that began during the leave for which the employee would reasonably have become eligible (ARS § 26-168).

### 9.3 EMPLOYEE REEMPLOYMENT RESPONSIBILITIES

An employee returning from approved regular active military leave is entitled to reinstatement rights only if he/she (38 USC § 4312):

1. Has given advance written or verbal notice of such service, unless precluded by military necessity.
2. Has served in the uniformed service for no more than five years cumulatively while employed at the Superstition Fire & Medical District, except as provided in 38 USC § 4312(c).
3. Has been issued a discharge under honorable conditions.
4. Reports to the Superstition Fire & Medical District or applies for reemployment in a timely manner as provided in this policy.
  - a. In the case that the approved military leave exceeds 30 days, submits documentation showing:
    - i. The application for reemployment is timely.
    - ii. The employee has not exceeded the cumulative five-year limit of service in the uniformed services, except as provided in 38 USC § 4312(c).

### 9.4 DISTRICT REEMPLOYMENT RESPONSIBILITIES

The District shall promptly reinstate employees entitled to reinstatement but no later than 14 days after a request for reinstatement. In the case of unusual circumstances, the District shall reinstate employees as soon as practicable (20 CFR 1002.181).

The District is not required to reemploy a person after approved military leave if any of the following conditions exist (38 USC § 4312):

1. The district's circumstances have so changed as to make such reemployment impossible or unreasonable.
2. Such reemployment would impose an undue hardship upon the District.
3. The person held a nonrecurrent job for a brief period of time and had no reasonable expectation that such employment would continue.

Supervisors should consult with the Department of Human Resources or legal counsel before determining whether any of these conditions exist.

## **10. RETENTION**

An employee who is reinstated after returning from approved military leave may not be discharged, except for cause (38 USC § 4316; 20 CFR 1002.247):

1. For 180 days after the date of reemployment if the most recent period of military service was more than 30 days and less than 181 days.
2. For one year after the date of reemployment if the most recent period of military service was more than 180 days.

## **11. DISCRIMINATION AND RETALIATION PROHIBITED**

Discrimination or retaliation against any employee for participation in military service is prohibited, whether the employee volunteers or is ordered to active military service (38 USC § 4311; ARS § 23-1501; ARS § 26-167).

## **12. PROCEDURE**

SFMD will provide eligible military employees with a balance of 720 hours every two years. Any remaining of the 720 hours will expire at the end of the two years, and another 720 hours will be issued for the next two year period. The 720-hour distribution will be in-line with the federal military fiscal year, which begins on October 1st, and ends on September 30th. If all 720 hours have been exhausted, the employee may use vacation time or work-trades to cover hours and avoid going into no-pay.

# Policy 1042 – Driver License Requirements

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to ensure that all Superstition Fire & Medical District members who drive as a part of their duties have and maintain required driving licenses.

## 2. POLICY

In order to promote driver safety, it is the policy of the Superstition Fire & Medical District that any member who is assigned duties that require him/her to drive district vehicles or equipment, or drive a privately owned vehicle while conducting district business, has and maintains driving privileges and licenses consistent with his/her duties.

## 3. REQUIREMENTS

Any member who is assigned duties that require him/her to drive district vehicles, equipment or private vehicles shall be required to obtain and maintain a valid driver license (ARS § 28-3151).

### 3.1 REVIEW OF RECORDS

The Fire Chief shall appoint an officer to monitor the driving records of all members who are assigned duties that require driving while conducting district business, to confirm each driver has a valid driver license and to monitor driving records for potential problem behavior.

The Human Resources officer appointed to monitor driving records shall be responsible for reviewing the driver license reports as part of the hiring process and any time an incident occurs that affects a member's eligibility to drive.

Whenever the officer appointed to monitor driving records becomes aware of changes that could affect a member's eligibility to drive, the officer should notify the affected member, the member's immediate supervisor, Battalion Chief, and the Operations Chief.

### 3.2 NEW EMPLOYEES

Prospective member driving records shall be evaluated to confirm that the applicant has a valid driver license and to review the type and number of traffic violations and collisions on the record.

At the time of hire, a new member whose duties require driving a vehicle while conducting district business shall be required to present a valid driver license.

### 3.3 CURRENT EMPLOYEES

Driving records of existing members shall be evaluated annually to confirm that the member has a valid driver license and to review any traffic violations and collisions.

Any member who drives a vehicle while conducting district business must immediately notify his/ her supervisor of any suspension, revocation or other change in the status of his/her driver license. Any violation of this procedure may result in disciplinary action, up to and including termination.

Any member who does not possess a valid license shall not drive any vehicle while conducting district business.

If a member's driver license is suspended, revoked or becomes invalid, the District may, at its discretion, take any combination of the following actions:

1. Assign a member to duties which do not require driving, for up to 60 calendar days from the date of the Arizona Department of Transportation Motor Vehicle Division (MVD) report, to allow the member an opportunity to seek the reinstatement of his/her driver license, provided:
  - a. The member can still perform the majority of his/her job duties.
  - b. There is minimal impact on the District work output.
2. Place a member on leave without pay for up to a maximum of six months from the date of the MVD report pending license reinstatement, or up to a maximum of four months if the member has already been assigned to non-driving duties for 60 calendar days.

Any member who is unable to obtain reinstatement of his/her driver license may be subject to disciplinary action, up to and including termination.

# Policy 1043 – Nepotism and Personal Relationships

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Last Revision: 11/17/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this district.

## 2. POLICY

The Superstition Fire & Medical District is committed to fair and equitable treatment of all members; and strives to create a work atmosphere that is free of both actual and apparent conflicts of interest that could compromise this principle. For the purposes of this policy, a personal relationship is considered one that includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

## 3. RESTRICTED DUTIES AND ASSIGNMENTS

In order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions should apply:

1. Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by an employee who is a relative or with whom they are involved in a personal relationship.
  - a. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor should make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
  - b. When personnel and circumstances permit, the District will make a reasonable effort to avoid placing such employees in supervisor/subordinate situations. The District, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
2. Regardless of supervisory status, employees are prohibited from bidding the same unit with any other employee who is a relative or with whom they are involved in a personal relationship.
3. Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal relationship.
4. Whenever possible, trainers should not be assigned to train relatives. Trainers are prohibited from entering into or maintaining personal relationships with any member they are assigned to train until such time as the training has been successfully completed and, if an employee, off probation.

### 3.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any relationship, or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee should promptly notify his/her uninformed, next level of supervisor.

### 3.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor should take all reasonable steps to promptly mitigate or avoid such violations whenever possible.

Supervisors should also promptly notify the Fire Chief, or designee, of such actual or potential violations through the chain of command.

# Policy 1044 – Member Speech, Expression, and Social Networking

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Latest Revision: 05/21/2025

## 1. PURPOSE AND SCOPE

This policy is intended to address issues associated with member use of social networking sites and to provide guidelines for the regulation and balancing of member speech and expression with the needs of the District.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

### 1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, and use of all Internet services, including websites, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

## 2. POLICY

All members of the SFMD occupy a trusted position in the community, and thus, their statements can potentially violate the District's policies and performance. Due to the nature of the work and influence associated with a public safety agency, members of the District must be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Superstition Fire & Medical District will carefully balance the individual members' rights against the District's needs and interests when exercising reasonable control over its members' speech and expression.

## 3. SAFETY

Members should consider carefully the implications of their speech or any other form of expression when using the Internet.

Speech and expression that may negatively affect the safety of the Superstition Fire & Medical District members, such as posting personal information in a public forum, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates.

#### **4. PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the District's safety, performance and public-trust needs, the following is prohibited unless the speech is otherwise protected :

1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Superstition Fire & Medical District or its members.
2. Speech or expression that, while not made pursuant to an official duty, is linked to, or related to, the Superstition Fire & Medical District and tends to compromise or damage the mission, function, reputation or professionalism of the Superstition Fire & Medical District or its members. Examples may include:
  - a. Statements that indicate disregard for the law of the state or U.S. Constitution.
  - b. Expression that demonstrates support for criminal activity.
  - c. Participating in sexually explicit photographs or videos for compensation or distribution.
3. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
4. Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the District.
5. Speech or expression that is contrary to the canons of the Mission, Vision and Values t as adopted by the Superstition Fire & Medical District.
6. Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the District for financial or personal gain, or any disclosure of such materials without the express authorization of the Fire Chief or authorized designee.

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any social media, web page or website maintained by the member (e.g., social or personal website).

##### **4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS**

Although members are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit, members may not represent the Superstition Fire & Medical District or identify themselves in any way that could be reasonably perceived as representing the

Superstition Fire & Medical District in order to do any of the following, unless specifically authorized by the Fire Chief:

1. Endorse, support, oppose or contradict any political campaign or initiative
2. Endorse, support, oppose or contradict any social issue, cause or religion
3. Endorse, support or oppose any product, service, company or other commercial entity
4. Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website

Additionally, when it can reasonably be construed that a member, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this District, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Superstition Fire & Medical District.

#### 4.2 POLITICAL ACTIVITY

No member shall be prohibited from engaging in political activity, unless otherwise prohibited by law, in violation of District policy, or at any time a member is on duty or in uniform.

Members retain their right to vote as they choose, support candidates of their choice, and express their opinions as private citizens, including authorized members of a recognized bargaining unit, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

Members shall not be coerced or required to engage in political activity.

### 5. PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site accessed, transmitted, received, or reviewed on any District technology system.

The District reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the District, including the District email system, computer network or any information placed into storage on any District system or device. This includes records of all keystrokes or web-browsing history made at any District computer or over any District network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through District computers, electronic devices or networks.

## **6. CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Fire Chief or the authorized designee should consider include:

1. Whether the speech or conduct would negatively affect the efficiency of delivering public services.
2. Whether the speech or conduct would be contrary to the good order of the District or the efficiency or morale of its members.
3. Whether the speech or conduct would be reflected unfavorably upon the District.
4. Whether the speech or conduct would negatively affect the member's appearance of impartiality in performing his/her duties.
5. Whether the speech or conduct may be protected and outweigh any interest of the District.

## **7. TRAINING**

Subject to available resources, the District should provide training regarding member speech and the use of social networking to District employees.

# Policy 1045 – Anti-Retaliation

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## 1. PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

## 2. POLICY

The Superstition Fire & Medical District has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

## 3. RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

1. Retaliation includes any adverse action or conduct, including, but not limited to:
2. Refusing to hire or denying a promotion.
3. Extending the probationary period.
4. Unjustified reassignment of duties or change of work schedule.
5. Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
6. Taking unwarranted disciplinary action.
7. Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
8. Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

#### **4. COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, a command staff member, the Fire Chief or the District Administrative Services Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

#### **5. SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

1. Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
2. Receiving all complaints in a fair and impartial manner.
3. Documenting the complaint and any steps taken to resolve the problem.
4. Acknowledging receipt of the complaint, notifying the Fire Chief via the chain of command and explaining to the member how the complaint will be handled.
5. Taking appropriate and reasonable steps to mitigate any further violations of this policy.
6. Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
7. Periodically following up with the complainant to ensure that retaliation is not continuing.
8. Not interfering with or denying the right of a member to make any complaint.
9. Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

## **6. COMMAND STAFF RESPONSIBILITIES**

The Fire Chief should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including, but not limited to:

1. Communicating to all members the prohibition against retaliation.
2. Reviewing complaint investigations in a timely manner.
3. Taking steps toward remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
4. Communicating the outcome to the complainant in a timely manner.

## **7. WHISTLE-BLOWING**

Arizona law protects members from retaliation for disclosing information to the appropriate person or entity when the member has a reasonable belief that this district is violating or will violate the state Constitution or state law, or is engaging in abuse of authority or gross waste of monies (ARS § 23-1501; ARS § 38-532).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Fire Chief or the authorized designee through the appropriate supervisory chain of command for investigation pursuant to the Personnel Complaints Policy.

## **8. RECORDS RETENTION AND RELEASE**

The Custodian of Records shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

## **9. TRAINING**

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

# Policy 1046 – Employee Corrective Action & Discipline

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Last Revision: 07/24/2024

## 1. PURPOSE AND SCOPE

Superstition Fire & Medical District members are required to conduct themselves in a highly self-disciplined manner, obeying the SFMD Policies, Procedures, and guiding documents. The scope of this policy outlines the different corrective/disciplinary actions within SFMD's progressive discipline process. In situations where members do not adhere to these expectations, supervisors, with guidance from Human Resources, are expected to take the necessary action(s) to correct the problem.

## 2. GENERAL INFORMATION

It is the policy of the Superstition Fire & Medical District that corrective action and discipline be administered in a fair, corrective, progressive (where appropriate), and lawful manner.

The principal objective of corrective action and/or discipline is to improve behaviors or correct performance concerns. Proceedings and the results thereof are confidential and it is the responsibility of everyone involved to maintain this confidentiality. However, all corrective/disciplinary actions are subject to disclosure via a public records request. All media inquiries pertaining to disciplinary actions shall be directed to the Fire Chief or designee.

## 3. EMPLOYEE REPRESENTATION

All employees have the right to representation in corrective action and/or discipline if they choose. The presence of a Union Representative will require a non-unit supervisor to become involved. If the second level of supervision or above is directly involved in the corrective action, discipline, or investigation of a member represented by Local 2260, the right of Union representation will be told directly to the member. When a member requests not to be represented by the Union, that request will be honored and documented.

## 4. PROGRAMS FOR IMPROVING JOB PERFORMANCE

In most cases, minor job performance problems can be resolved by the supervisor bringing the problem to the attention of the employee, and the employee making the proper modification in his/her performance. When a serious job performance problem is identified, the decision must be made whether to solve it through:

- Training
- Non-Disciplinary Counseling
- Corrective Action
- Discipline

Each situation will be considered separately, and it is the supervisor's responsibility, with guidance from their chain of command and human resources, to determine the best course of action to resolve the situation.

If the situation is determined to be a training problem, a Performance Improvement Plan (PIP) may be developed for the member. When utilizing the PIP, it must identify the member's problem area(s) along with measurable objectives for improvement. It must also indicate a reasonable time frame within which the objectives are to be met. Periodic meetings with the employee should be held and documented using the biweekly meeting worksheet. After the PIP, if the member's performance has been corrected, an overall recommendation form should be completed indicating measurable improvement within the standards in all areas. If the member's performance has not improved sufficiently, a determination must be reached regarding the next steps.

## **5. DETERMINING THE PROPER COURSE OF ACTION**

After an incident or complaint has been thoroughly investigated by human resources and the need for corrective action or discipline is determined, a decision concerning the action that would be most effective will be made. Factors to be considered in making this decision are:

- The seriousness of the offense.
- Member's history with the District.
- SFMD's past practices with similar offenses.

Consistency is critical to any corrective action or disciplinary system. Although actions taken for the same offenses should be similar, the final determination will be made after considering the factors listed above and applying them to the particular situation.

Disciplinary pay reductions, suspensions, demotions, and terminations are utilized as corrective measures taken for repeated incidents of rule infractions or a single significant infraction as determined by the Fire Chief. It is the responsibility of the supervisor to stabilize a situation in which immediate action is necessary. This may require relieving the member from duty (with pay) until an investigation is completed and a decision is made regarding the official action to be taken. Supervisors should not comment to the employee regarding a particular form of disciplinary action prematurely.

For disciplinary pay reductions, suspensions, demotions, and terminations, SFMD utilizes a Disciplinary Advisory Panel consisting of four employees; two members are selected by the Employee Organization from the Chapter Executive Board, and two members from management Executive staff to provide a recommendation to the Fire Chief.

The Fire Chief will make the final decision concerning corrective action, disciplinary pay reductions, suspensions, demotions, or terminations.

## 6. SUPERVISORY COUNSELING DEFINITIONS

**Coaching and Mentoring** – Immediate and direct mentoring and coaching with notification to the Second-Line Supervisor.

**Evaluation Comments** – Annual Evaluation Comments that reinforce coaching and mentoring.

## 7. CORRECTIVE ACTION DEFINITIONS

**Verbal Counseling** - This is the lowest level of corrective action. A verbal counseling serves to notify an employee that certain behaviors or performance deficiencies need changing or improvement.

**Written Reprimand**- A written reprimand serves to notify the employee in writing that they are not meeting an expectation in some area. Written reprimands are to be approved by Human Resources for protocol purposes before issuing. All documentation and supplemental information will be included in the Written Reprimand.

## 8. DISCIPLINARY PAY REDUCTION, SUSPENSION, DEMOTION, OR TERMINATION DEFINITIONS

**Disciplinary Pay Reduction or Suspension** – A disciplinary pay reduction is when an employee’s base rate of pay is reduced either temporarily or permanently. A suspension is when an employee is released from work duties without pay for a specified period of time. Disciplinary pay reduction or suspension actions are to be reviewed by Human Resources for protocol purposes before issuing a notice of intent to discipline. All documentation and supplemental information will be included in the Intent to Discipline/Pay Reduction.

**Demotion** - A demotion is the movement of an employee from their current classification to a lower classification. A demotion notifies the employee that they are not meeting expectations required for their position. Demotion paperwork is to be reviewed by Human Resources for protocol purposes before issuing a notice of intent to discipline. All documentation and supplemental information will be included in the Intent to Discipline/Demotion.

**Termination** - A termination is the separation of employment with SFMD. Terminated employees are not eligible for future employment with SFMD.

## 9. OPTIONAL ADDITIONS TO CORRECTIVE ACTIONS OR DISCIPLINE

**Performance Improvement Plan (PIP)** – A written plan that identifies performance problems including the goal of the plan, pertinent background information, specific steps, and performance expectations that must be satisfied.

**Disciplinary Probation** – Disciplinary probation is intended to notify the employee that any acts by the employee, that could result in further disciplinary action, occurring while the employee is on disciplinary probation, may be grounds for further disciplinary action, including pay reduction, suspension, demotion or termination.

While on disciplinary probation, an employee will not be eligible to participate in promotional testing opportunities.

## **10. CORRECTIVE AND DISCIPLINARY ACTION PROCEDURES**

### **10.1 VERBAL COUNSELING PROCEDURES**

Supervisors are encouraged to provide in-the-moment feedback to employees whenever possible to provide immediate course correction for unacceptable behaviors.

1. Following the immediate course correction and prior to issuing verbal counseling, the supervisor should concur with the second-line supervisor that verbal counseling is the appropriate form of corrective action.
2. After meeting with the employee, the Direct Supervisor will document the verbal counseling and forward it to the Second-Line Supervisor. The second-line supervisor will review the verbal counseling and advise on any necessary corrections or clarification.
3. The direct supervisor and second-line supervisor will save the file in their specific drive.

### **10.2 WRITTEN REPRIMAND PROCEDURES**

Written reprimands document employee conduct, which may include one-time conduct, a pattern of conduct or performance problems, willful violations of policies/procedures, or continued performance problems.

Supervisors are encouraged to provide in-the-moment feedback to employees whenever possible to provide immediate course correction for unacceptable behaviors.

1. Following the immediate course correction and prior to issuing a written reprimand, the supervisor should concur with the second-line supervisor that a written reprimand is the appropriate form of corrective action.
2. If determined that a written reprimand is the appropriate course of action, the second-line supervisor shall notify the HR Manager of their intent.
3. The HR Manager will review the circumstances with the Executive staff for concurrence that a written reprimand is the appropriate course of action.
4. If determined that a written reprimand is the appropriate course of action, the HR Manager will assist the direct and second-line supervisor in the execution of the written reprimand.
5. Once the written reprimand is complete and approved by the HR Manager, the direct supervisor will meet with the employee to issue the written reprimand.
6. After meeting with the employee, the Direct Supervisor will forward the completed and signed written reprimand to the Second-Line Supervisor and HR Manager (for inclusion in the employee's personnel file).

7. Should an employee wish to appeal their written reprimand, they have ten calendar days to submit an appeal to the Direct Supervisor, second-line supervisor, and the HR Manager.
8. The employee will be notified within 7 days that the appeal has been received.
9. The Second-Line Supervisor will concur with the HR Manager and Executive staff and has ten calendar days to respond to the Employee's appeal.
10. The second-line supervisors' response is the final determination and will verify whether the written reprimand is being upheld, reduced, or modified.

### 10.3 DISCIPLINARY PAY REDUCTION, SUSPENSION, DEMOTION, AND TERMINATION PROCEDURES

Discipline documents employee conduct, which may include one-time conduct, a pattern of conduct or performance problems, willful violations of policies/procedures, or continued performance problems.

Only the Fire Chief can impose disciplinary pay reductions, suspension, demotion, and termination.

1. Supervisors are encouraged to provide in-the-moment feedback to employees whenever possible to provide immediate course correction for unacceptable behaviors.
2. Following the immediate course correction the supervisor should notify the second-line supervisor who will determine if the infraction rises to the level of discipline. If determined that the infraction rises to the level of discipline, the second-level supervisor will notify their supervisor and the HR Manager.
3. The HR Manager will review the circumstances with Executive staff to determine the appropriate course of action (conduct fact-finding, investigation, or send back for corrective action procedures).
4. If determined that an investigation is the appropriate course of action, it will be completed per Policy 1056 – Investigations
5. After concluding the investigation, Human Resources shall forward the completed investigation report, supporting documents, evidence, and findings to the Fire Chief.
6. If the Fire Chief, with guidance from Human Resources, feels that the infraction potentially rises to the level of discipline, the Fire Chief, or the Chief's designee, will convene the Disciplinary Advisory Panel and notify the employee through a Notice of Pre-disciplinary Review.
7. The Disciplinary Advisory Panel (DAP) will convene and review the allegations/evidence. The purpose of the DAP is to review the investigation, compare the situation to similar allegations for consistency (if applicable), and make a recommendation to the Fire Chief.
8. The Fire Chief will consider the investigative report and the recommendation from the DAP; and will determine whether to issue a Notice of Intent to Discipline within ten calendar days of receiving the recommendation from the DAP.
9. If a Notice of Intent to Discipline is issued, all investigation reports, supporting documents, evidence, recommendations, and findings may be requested by the employee.

10. The employee may request a pre-disciplinary hearing (written and/or verbal) to the Fire Chief within ten calendar days of receipt of the Notice of Intent to Discipline. Failure of the employee to meet the 10-day timeline for requesting a pre-disciplinary hearing may result in the Fire Chief making a final determination on the matter.
11. If a pre-disciplinary hearing is held, the Fire Chief will have ten working days to review and provide a written determination.

### Extensions

The deadlines set forth in this policy may be modified by the Fire Chief in the Fire Chief's discretion.

Any missed deadlines that require an extension by the employee or management will reside with the Fire Chief to approve or deny.

# Policy 1047 – Battalion Chief Straight Time Pay for BC Shift Coverage

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the payment of additional compensation to FLSA exempt Battalion Chiefs for all BC Coverage hours worked in excess of their regular schedule.

## 2. POLICY

It is the policy of the SFMD to pay Battalion Chiefs at their straight time hourly pay rate for all hours worked to cover absences for other Battalion Chiefs. This applies only to Battalion Chiefs performing emergency services shift work in the Battalion Chief position.

This does not apply to required off-duty activities that include, but are not limited to:

- Staff meetings
- Training session
- Committee assignments

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

# Policy 1048 – Duty to Report Violations

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to inform employees of their individual responsibility to report violations of SFMD policies and related investigatory procedures.

## 2. 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.

# Policy 1049 – Long-Term Disability

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for long term disability benefits.

SFMD acknowledges that employees may sustain injuries or medical conditions that could interfere with their ability to perform the essential functions of the job for their particular classification. Light-duty assignments may be approved for employees whose injury or medical condition 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 light-duty assignment eligibility has been exhausted, may qualify for disability benefits under the following programs:

- Workers Compensation Insurance
- Arizona State Public Safety Personnel Retirement System (AZSPRS)
- Arizona State Personnel Retirement System.

Contact the Human Resources Department for any questions on these benefit programs.

## 2. POLICY

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

# Policy 1050 – Reinstatement

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the reinstatement of employment for previous SFMD employees.

## 2. POLICY

At the discretion of the Fire Chief and the Senior Leadership Team, a full-time employee that has resigned their position with the SFMD while in good standing may be reinstated to a vacant position in the same or comparable class within one year of the effective date of the resignation.

Upon reinstatement, the employee will be considered as having received an original appointment, and previous years of service will not be utilized in determining seniority. Reinstated employees are subject to the same probation requirements as any other newly hired employee.

# Policy 1051 – Work Schedules

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Latest Revision: 02/15/2023

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the work schedule criteria and guidelines for SFMD employees.

## 2. POLICY

It is the policy of the SFMD to calculate employee payroll on a biweekly pay period consisting of two individual workweeks that begin on Monday and end on Sunday. Each calendar year will consist of twenty-six pay periods.

## 3. PUBLIC SAFETY AND TRANSPORTATION SERVICES EMPLOYEES – 56-HOUR SCHEDULE

56-Hour Schedule - The SFMD utilizes a 48/96 shift work schedule for public safety employees and transportation personnel assigned to the Operations Division. A 48/96 work schedule consists of two consecutive 24-hour shifts on duty followed by four consecutive 24-hour shifts off duty, which is an average of 56 hours per workweek.

\*Hours worked as a result of work trades are not eligible for overtime compensation and overtime shifts are not eligible to be covered by work trades.

### Public Safety Sworn Employees

Each pay period, non-exempt public safety employees will be paid an average of 56 hours per week at their regular rate of pay for their regularly scheduled hours.

Scheduled overtime will be calculated as follows:

- Non-exempt public safety employees are scheduled to work 144 hours (six 24-hour shifts) during each 18-day tour of duty.
- During the 18-day tour of duty, any scheduled hours worked in excess of 136 hours will be paid at 0.5 times the regular pay rate.

### Transportation Services Employees

Non-exempt civilian transportation services employees will be paid at the regular pay rate for the first 40 hours in a workweek.

Scheduled overtime will be calculated as follows:

- During the workweek (Monday through Sunday), all scheduled hours in excess of 40 hours will be paid at 1.5 times the regular pay rate.

### 3.1 DAILY STAFFING ASSIGNMENTS

Daily shift and station assignments are made based on adequate staffing to fill required positions within the organization. It may be necessary to adjust an employee's assigned station on a temporary or permanent basis to ensure service delivery to the community. Whenever possible, adequate notice should be given to employees who are being moved from their regularly assigned positions to meet the staffing needs of the district.

Shift personnel may be assigned to a 40-hour workweek at the discretion of the Fire Chief.

### 3.2 OVERWORKED STATUS AND MANDATORY REST PERIODS

Public safety and transportation services employees may work a maximum of 72 consecutive hours. When an employee has worked 72 consecutive hours, they shall be considered in overworked status and will require a minimum of 12 hours off-duty as a mandatory rest period before returning to work.

Depending on the circumstance, this may be waived or modified at the discretion of the Fire Chief, or designee.

## 4. 40-HOUR EMPLOYEES

### **Non-Exempt 40-Hour Employees**

- Non-exempt employees assigned to 40-hour positions utilize a 4/10 schedule.
- The regular 4/10 schedule consists of four 10-hour workdays in a workweek, generally Monday through Thursday. Each workweek begins on Monday and ends the following Sunday.
- Non-exempt 40 hours employees who have worked in excess of 40 hours in a workweek will be paid at 1.5 times the regular pay rate.
- Non-exempt 40-hour employees are entitled to a 1-hour lunch break and two 20-minute breaks. Supervisors may need to reschedule or coordinate employee schedules at their discretion to ensure coverage for the administrative offices.

\*The Fire Chief may adjust employees' work schedules to accomplish the SFMD's mission.

# Policy 1052 – Special Leaves

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Latest Revision: 04/21/2021

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the administration of special leaves.

## 2. POLICY

It is the policy of the SFMD that full-time employees are eligible for various types of special leave as provided by the SFMD compensation and benefits plan.

## 3. BEREAVEMENT LEAVE

Bereavement Leave is provided as an employee benefit to allow members the opportunity to grieve or address other matters related to the death of a close family member.

Management reserves the right to request an obituary or other evidence of death as soon as possible following the bereavement request. When proof of death is requested and the employee fails to provide such evidence after a reasonable amount of time, the employee's Sick Leave or Vacation Leave balance may be utilized in lieu of the Bereavement Leave time taken.

If a request is discovered to have been made fraudulently or in bad-faith, correction action may be warranted.

In cases where an interpretation of immediate or non-immediate family members may be necessary, the Fire Chief or designee will make a determination.

### 3.1 IMMEDIATE FAMILY

In the event of a death of an immediate family member, full-time employees shall receive up to seven consecutive days of Bereavement Leave. The start of the 7-day period will be determined by the employee and their respective supervisor or Battalion Chief.

An Assistant Chief or Director may approve Bereavement Leave requests beyond what is allotted per policy. The approved requests shall utilize the employee's Sick Leave balance. Vacation Leave may be used if there are available vacation positions.

For the purposes of this policy, the immediate family will be defined as:

1. The spouse or domestic partner of the employee;

2. The parent or step-parent of the employee or the employee's spouse/domestic partner; (A relative, who, because of family circumstances, has been a parent substitute to the employee or the employee's spouse/domestic partner, may be considered a parent in this definition)
3. The child (including unborn), step-child, sibling, or step-sibling of the employee or the employee's spouse/domestic partner;
4. The grandparent or grandchild of the employee or the employee's spouse/domestic partner;
5. Or any person residing in the employee's household as a member of the family

### 3.2 NON-IMMEDIATE FAMILY

In the event of a death of a non-immediate family member, full-time employees shall receive Bereavement Leave based on their assigned work schedule.

- 56-hour Work Schedule - Employees shall receive up to 12 hours of Bereavement Leave
- 40-hour Daytime Work Schedule - Employees shall receive up to 10 hours of Bereavement Leave

For the purposes of this policy, the non-immediate family will be defined as, but not limited to:

- The uncle, aunt, or cousin of the employee or the employee's spouse/domestic partner

## 4. EMERGENCY LEAVE

Employees may use Emergency Leave for essential personal matters that are beyond the control of the employee. Examples of Emergency Leave include, but are not limited to:

- Interference with transportation
- Unexpected vehicle breakdowns
- Accidents
- Arrests
- Unanticipated detainment
- Burst water pipe at the employee's home

When it becomes apparent that Emergency Leave is needed, the employee should contact their supervisor as soon as possible. Emergency Leave will be granted at the discretion of the supervisor.

Emergency Leave will be deducted from the employee's earned leave balances in the following order:

1. Vacation Leave
2. Sick Leave
3. No Pay

An employee who improperly claims or misuses emergency leave is subject to corrective action.

## **5. CIVIL LEAVE**

### **5.1 JURY DUTY**

Employees who are required to serve as jurors will receive their regular pay for up to two weeks. Additional time served will be unpaid. To avoid duplication of compensation, employees will be required to sign over any payment received for jury duty for those two weeks.

Employees are required to provide a copy of their jury summons and any additional documentation regarding the term of their jury service to the Human Resources Department for records retention.

### **5.2 SUBPOENA FOR MATTERS INVOLVING THE DISTRICT**

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

Employees are required to provide a copy of the subpoena or request to appear to the Human Resources Department for records retention.

### **5.3 PERSONAL LEGAL MATTERS**

Employees may be granted leave to appear in court for personal matters, whether as the plaintiff or defendant. Any time off will utilize the employee's earned leave balances.

## **6. VICTIM LEAVE**

In the event that an employee becomes the victim of a crime, is needed to assist an immediate family member with tasks related to their being a victim, or is named the lawful representative of a victim, the employee may be granted Victim Leave.

### **6.1 VICTIM LEAVE ADMINISTRATION**

Victim Leave will be required to utilize the employee's earned leave balances. If all earned leave is exhausted, the remaining Victim Leave will be unpaid.

There is no limit on the length of leave an employee can take under this policy. However, the SFMD may limit the Victim Leave an employee may take 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."

For purposes of this policy, the following are defined:

- **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 representatives.
- **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.

The Human Resources Department may investigate the use of Victim Leave. The misuse of Victim Leave should be cause for corrective action, up to and including termination.

## 6.2 NOTICE REQUIREMENTS

An employee wishing to take Victim Leave must give the following notices to their immediate supervisor and the Human Resources Department for records retention.

- 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
- A copy of the notice of any scheduled proceeding, if applicable.

## 6.3 EFFECT OF VICTIM LEAVE ON BENEFITS

The benefits of an employee utilizing Victim Leave will be administered under the following guidelines:

1. An employee will not lose any employee benefits accrued before the date on which they begin Victim Leave.
2. Employees will not accrue vacation or sick leave during any unpaid Victim Leave absence.
3. 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.
4. Employees on Victim 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 Victim 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 paid while the employee was on leave.
5. 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:

- a. It should be the responsibility of an employee on Victim Leave to provide those payments necessary to maintain benefits coverage.
- b. 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 the employee was on leave.

## **7. 1052.7 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 the opportunity for a leave of absence for all full-time employees.

The Fire Chief may grant a leave of absence to any employee for a minimum period of one month but not to exceed one year. When considering a request for a leave of absence, the Fire Chief should consider operational needs, budget impacts, and ensure services are not compromised. A leave of absence will not be granted for the purpose of outside employment. All requests for a leave of absence will be in writing and should include the reason(s) for the request. A leave of absence without pay pertains to any full-time employee who is approved for a leave of absence but does not have Earned Leave balances available.

A leave of absence may be granted by the Fire Chief to any employee for medical or physical recuperation on a case-by-case basis. A medical leave of absence may be used with FMLA is exhausted or when the reason(s) for the leave of absence does not meet FMLA criteria.

While on an Approved Leave of Absence:

1. The duration of the leave of absence will not be considered as credited service with the SFMD.
2. The duration of the leave of absence 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 a leave of absence.
4. The employee will be responsible for medical insurance payments during the leave of absence.
5. The employee's anniversary and promotion dates will be adjusted to delay the date in accordance with the amount of time not worked.
6. Upon expiration of a leave of absence, the employee will return to the position held prior to the start of the leave of absence.

## **8. 1052.8 VOTING LEAVE**

Voting Leave will only be granted based on the criteria below:

- There are less than three consecutive hours between the opening of the polls and the beginning of the employee's shift, and
- There are less than three consecutive hours between the end of the employee's shift and the closing of the polls.

For employees assigned to a 56-hour work schedule, the on-duty Battalion Chief will determine the appropriate scheduling for employees to take Voting Leave.

For employees assigned to a 40-hour daytime work schedule, the employee's immediate supervisor will determine the appropriate scheduling for employees to take Voting Leave.

Time off for Voting Leave will be deducted from the employee's accrued leave balance.

# Policy 1053 – Earned Leave

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Latest Revision: 09/21/2022

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for earned leave accrual and usage.

## 2. POLICY

It is the policy of the SFMD that full-time and part-time employees are eligible for various types of earned leave as provided by the SFMD compensation and benefits plan.

## 3. HOLIDAYS

The SFMD recognizes eleven annual holidays as listed below:

1. New Year's Day - January 1
2. Civil Rights Day - Third Monday of January
3. Presidents' Day - Third Monday of February
4. Cesar Chavez Day – March 31
5. Memorial Day - Last Monday of May
6. Juneteenth – June 19
7. Independence Day - July 4
8. Labor Day - First Monday of September
9. Veterans Day - November 11
10. Thanksgiving - Fourth Thursday of November
11. Christmas - December 25

### 3.1 PUBLIC SAFETY AND TRANSPORTATION SERVICES EMPLOYEES

Public safety and transportation services employees assigned to a 56-hour work schedule are paid 11.20 holiday incentive hours for each of the eleven (11) holidays, regardless of whether they are scheduled to work on the holiday. Holiday incentive hours are paid at the employee's regular pay rate and will not be included in calculating any overtime.

### 3.2 40-HOUR EMPLOYEES

Employees assigned to a 40-hour schedule will be given one workday off for each of the eleven (11) holidays.

4/10s Work Schedule - Holidays that occur on Friday or Saturday will be observed on the previous Thursday. Holidays that occur on Sunday will be observed on the following Monday.

For employees assigned to the Fire Academy on a 5/8s Work Schedule – Holidays that occur on Saturday will be observed on the previous Friday. Holidays that occur on Sunday will be observed on the following Monday.

When District needs require a non-exempt, 40-hour employee to work on a holiday:

- The employee will be compensated for hours worked at their regular pay rate until they have reached 40 hours worked in the workweek.
- Holiday hours in the amount of the employee's regular work day will be paid in addition to hours worked.
- Holiday hours are paid at the regular pay rate, and will not be included in calculating any overtime.

Flexibility in this process may be requested through the chain-of-command and will be at the discretion of the Fire Chief.

## 4. VACATION LEAVE

### 4.1 VACATION ADMINISTRATION AND ACCRUAL RATES

Full-time employees will begin to accrue vacation leave from their date of hire. Vacation leave is available for use immediately after an employee receives their first paycheck. Use of vacation leave should be administered under the following guidelines:

1. Vacation will be accrued each pay period based on the employee's assigned work schedule and years of service, unless otherwise specified, according to the accrual schedule below.
2. Employees must have enough accrued hours to cover the entire vacation leave requested. Employees may not schedule vacation leave based on hours they will accumulate in the future.
3. Employees may not schedule vacation leave more than one year in advance.
4. Vacation leave may be scheduled up to 12 hours prior to the start time of the vacation. Employees scheduling vacation during a shift rotation that has already begun, shall contact the Battalion Chief to make them aware of the change to the roster.
5. The vacation block requested must be available, and the request should be made at the appropriate time prior to the start of shift/workday, depending on the division the employee is assigned.
6. Employees will not accrue vacation leave during pay periods of uncompensated leave.

7. The vacation leave balance for an employee transitioning between the 56-hour and 40-hour work schedules shall be refactored to reflect the new schedule parameters as of the effective date of the schedule transition. All accruals and leave usage following the effective date shall be accounted for using the new schedule parameters.

Years of Service	40-Hour Employees		56-Hour Shift Employees	
	Hours Per Pay Period	Days Per Year	Hours Per Pay Period	Days Per Year
0 and 1	4.35	11.32	8.02	8.69
2	4.80	12.49	8.40	9.10
3	5.24	13.64	8.77	9.50
4	5.69	14.81	9.14	9.91
5	6.13	15.95	9.52	10.32
6	6.56	17.07	9.89	10.72
7	7.00	18.21	10.27	11.13
8	7.44	19.36	10.64	11.53
9	7.90	20.55	11.01	11.93
10	8.34	21.70	11.39	12.34
11+	8.78	22.84	11.79	12.78

#### 4.2 PUBLIC SAFETY AND TRANSPORTATION SERVICES SHIFT EMPLOYEES

Employees assigned to a 56-hour work schedule utilize the TeleStaff scheduling software for vacation leave requests under the following guidelines:

1. Available Vacation Positions
  - a. A maximum of three public safety employees may be authorized to take vacation leave at any time during a shift.
  - b. A maximum of one transportation services employee may be authorized to take vacation leave at any time during a shift.
  - c. The Battalion Chief will not count against any vacation leave positions.
2. Minimum Vacation Blocks
  - a. Employees on a 56-hour schedule must take vacation leave in a minimum of a 4-hour block and may increase in quarter-hour increments thereafter.
  - b. Vacation leave taken between the hours of 1900 and 0700 must be taken as one 12-hour block.
  - c. Vacation leave starting prior to 1900 may utilize the 4-hour minimum.

3. For the following days, a fourth suppression vacation position will be available. The Battalion Chief will use a random lottery to determine which employees will be authorized to take vacation leave on these days.
  - a. Independence Day - July 4
  - b. Thanksgiving - Fourth Thursday of November
  - c. Christmas Eve - December 24
  - d. Christmas - December 25
4. Employees on military leave will not count towards the available vacation positions.

#### 4.3 40-HOUR EMPLOYEES

Administration of vacation leave for 40-hour employees will use the following guidelines:

1. Employees must submit an email request to their direct supervisor for all vacation leave requests.
2. Employees should attempt to give at least 1 hour of advance notice for any vacation leave request. However, vacation leave may be approved within a shorter time frame at the supervisor's discretion.

### 8. SICK LEAVE

Employees utilizing sick leave 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 utilizing sick leave.

#### 8.1 SICK LEAVE ADMINISTRATION

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

1. For the employee's or their care of a family member's:
  - a. mental or physical illness, injury, or health condition;
  - b. need for medical diagnosis, care, or treatment of mental or physical illness, injury, or health condition;
  - c. or the need for preventive medical care.
2. Due to domestic violence, sexual violence, abuse or stalking, provided the leave is to allow the employee to obtain any of the following for the employee or the employee's family member:
  - a. Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual violence, abuse or stalking;

- b. Services from a domestic violence or sexual violence program or victim services organization.
  - c. Psychological or other counseling;
  - d. Relocation or taking steps to secure an existing home due to the domestic violence, sexual violence, abuse or stalking;
  - e. Legal services, including but not limited to preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic violence, sexual violence, abuse, or stalking.
3. Or any other reason authorized by Arizona law.

For purposes of this policy, family member means any individual related by blood or affinity whose close association with the employee is equivalent of a family relation.

### 8.2 SICK LEAVE ACCRUAL RATES

Employees will begin to accrue sick leave from their date of hire. Sick leave is available for use immediately after an employee receives their first paycheck. Use of sick leave should be administered under the following guidelines:

1. Sick leave will be accrued each pay period based on the employee's assigned work schedule, according to the accrual schedule below.
2. Employees will not accrue sick leave during pay periods of uncompensated leave.
3. The sick leave balance for an employee transitioning between the 56-, or 40-hour work schedules shall be refactored to reflect the new schedule parameters as of the effective date of the schedule transition. All accruals and leave usage following the effective date shall be accounted for using the new schedule parameters.

<b>Work Schedule</b>	<b>Sick Leave Accrual Rate</b>
56-Hour Shift Employees	6.25 hours per pay period
40-Hour Employees	4.64 hours per pay period
Part-Time Employees	1 hour per 30 hours worked

### 8.3 SICK LEAVING REPORTING AND DOCUMENTATION

Employees should notify the appropriate supervisor of the need for sick leave as soon as practicable when they are unable to report for duty.

1. Employees assigned to a 56-hour work schedule shall report sick leave no later than 5:30 am on the morning of their shift to the on-duty BC.
2. Employees assigned to a 40-hour work schedule shall report sick leave no later than 30 minutes prior to the start of their workday.

A medical release from a licensed physician may be required for sick leave absences that exceed three or more consecutive work/shift days. The work release must be submitted to the employee's supervisor prior to the employee's return to work. It should include the nature of the illness or injury, any treatment involved, and if the employee is fit to return to duty. The work release shall be forwarded to the Human Resources Department for records retention.

#### 8.4 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for monitoring the sick time use of employees assigned to them on an ongoing basis to ensure that each employee's sick leave usage is within acceptable parameters. Failure by a supervisor to adequately address the issue of excessive sick leave use with their employee shall be considered a failure to perform their supervisory duties.

SFMD considers sick leave abuse to be a very serious situation/offense. Excessive sick leave use may be indicative of underlying severe personal or emotional problems, requiring intervention from District leadership or trained peer support professionals. Sick leave abuse has the potential to cause significant disruptions to District programs and operations and often results in elevated labor costs.

### 9. LEAVE DONATION PROGRAM

Earned leave hours may be donated to employees who have exhausted all of their earned leave and require further time off due to a serious illness or injury for themselves or a family member. Earned leave donation shall be administered under the following guidelines:

1. An employee can submit a request in writing to their 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 Fire Chief or designee.
2. The Fire Chief or designee may approve the employee's request to participate in the Leave Donation Program for an employee with the employee's verbal or written consent.
3. Upon approval, the Fire Chief or designee will notify the organization by email that an employee has qualified for donated leave.
4. When a qualified SFMD employee has exhausted all other leave, members of the SFMD may transfer their vacation or sick leave hours to the requesting employee.
5. Employees wishing to donate leave must notify the Fire Chief's designee in writing to authorize the donation of leave hours.
6. No more than fifty percent of the donating employee's leave may be gifted to another employee.
7. Eligible donations will remain confidential. However, a copy of the donor's request will be placed in their employee file.
8. Donations will be utilized hour for hour. All donated leave will be given in one (1) hour increments.

9. Upon returning to work, any unused donated leave shall be credited back to the donating employee(s).
10. 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.

**10. EARNED LEAVE BUY OUT (ELBO)**

Earned leave balances above the annual caps will be paid out in the last paycheck of each fiscal year. The pay rate for the ELBO payment will be calculated using the employee's pay rate as of the end of the fiscal year in June.

**10.1 VACATION LEAVE CAP**

The annual cap for vacation leave balance will be based on the employee's work schedule, as follows:

<b>Work Scheduled</b>	<b>Vacation Leave Cap</b>
56-Hour Shift Employees	450 Hours
40-Hour Employees	320 Hours

**10.2 SICK LEAVE CAP**

The annual cap for sick leave balance will be based on the employee's work schedule, as follows:

<b>Work Schedule</b>	<b>Sick Leave Cap</b>
56-Hour Shift Employees	1,460 Hours
40-Hour Employees	1,040 Hours

**10.3 CONVERSION OF EXCESS SICK TIME TO VACATION TIME**

Unused accrued sick time is carried over from year to year up to the annual cap, subject to the limitations on usage. However, employees may elect to convert sick to vacation time under the following circumstances:

1. Employees may elect to convert unused sick hours to vacation hours in excess of; 1,040 for employees assigned to a 40-hour schedule and 1,460 for employees assigned to a 56-hour schedule.
2. Employees who elect to convert sick time to vacation time in accordance with this section are required to execute the Sick Time Conversion Election Form. If the employee does not submit the Sick Time Conversion Election Form to the Payroll Department, sick hours will be bought out in accordance with the standard Earned Leave Buyout process.

3. If elected, an employee's sick time shall be converted to vacation time on the basis of one (1) hour of vacation time for every one (1) hour of excess sick time accrued.
4. Employees shall not convert sick time hours to vacation time if the employee will be receiving a Vacation Buyout in the same fiscal year.
5. Conversion of sick time hours to vacation hours shall not apply to the Separation Earned Leave Buyout.

## **11. SEPARATION FROM SERVICE PAYMENT**

Upon separation from service, earned leave balances will be paid out according to the following guidelines.

### **11.1 VACATION LEAVE PAYOUT**

Upon any separation from service, including resignation, termination, or retirement, the employee shall be entitled to all accrued vacation leave. Final vacation leave balances will be paid out at the employee's average pay rate for the previous five years from the official date of separation.

In case of death, payment shall be paid to the beneficiary or executor of the employee's estate.

### **11.2 SICK LEAVE PAYOUT**

Upon retirement, an employee's sick leave balance will be paid out according to the following guidelines:

1. Accrued sick leave hours below the annual cap amount will be paid at 50% of the employee's total sick leave balance using the employee's average hourly pay rate for the previous five years from the official date of retirement.
2. Accrued sick leave hours above the annual cap amount will be paid at 60% of the employee's total sick leave balance using the employee's average hourly pay rate for the previous five years from the official date of retirement.

Sick leave balances will be paid out only for retirement from the Public Safety Personnel Retirement System (PSPRS) or the Arizona State Retirement System (ASRS). Sick leave balances will not be paid out for resignations or terminations.

# Policy 1055 – PSPRS Post-DROP Employment Extension

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Policy Issued: 03/15/2023

## 1. PURPOSE AND SCOPE

To provide Public Safety employees in the DROP program with the process and parameters for requesting an extension of the DROP participation period as provided under A.R.S. §§ 38-844.03, 38-844.05, and 38-844.10.

## 2. POLICY

Post-DROP extension requests are the sole responsibility of the employee.

- Employees are responsible for completing the application process to enter DROP through the Public Safety Personnel Retirement System and for providing Human Resources with a copy of their applications to enter or exit DROP.
- Employees currently in DROP are responsible for following the process outlined in this administrative regulation if they wish to extend employment an additional 24 months after their initial DROP participation period.
- The Fire Chief, or designee, is responsible for the approval process, in coordination with Human Resources, as outlined in this policy.
- Human Resources is responsible for updating internal DROP records.

## 3. PROCEDURE

Employees who entered into the DROP program prior to July 6, 2022, who are currently enrolled in the DROP program, and who wish to extend their employment up to an additional 24 months after their five (5) year initial DROP date expiration, may do so under the following guidelines:

1. The employee must submit a written memorandum to the Fire Chief requesting the extension within 60 days of the date of issuance of this policy. The employee must also provide a copy of the memorandum to Human Resources.
2. The extension request will be reviewed by the Fire Chief and Human Resources, based on the following criteria at least nine (9) months prior to the five (5) year initial DROP date expiration. An interview with the Fire Chief will be scheduled with the requesting employee to discuss the request.

If the employee's DROP date will occur in fewer than nine (9) months from the date of issuance of this policy, their request will be reviewed as soon as reasonably possible.

- a. Extension requests will be reviewed, with the following exceptions, which are considered automatic disqualifiers for an extension:
    - i. The position has been filled, and no vacancy exists.
    - ii. The employee is unable to perform the essential functions of the position with or without a reasonable accommodation or has been deemed unfit for duty by a qualified medical professional with no anticipated timeframe for a return to fitness for duty.
    - iii. The employee has received discipline within the one-year period immediately preceding the extension request review timeframe.
    - iv. The employee is currently on disciplinary probation or a performance improvement plan.
    - v. The employee is the subject of an ongoing criminal investigation or has been charged with a criminal offense.
    - vi. The employee is determined to have other substantial performance or conduct issues making them unsuitable for continued employment.
  - b. Additionally, based on the financial status of the District, if it is deemed that an extension, or the total amount of extension requests, would unduly impact the financial stability of the organization, individual requests, or all requests, may be denied.
3. The employee will be notified in writing of the decision, which includes the approved extension length. If an extension is granted, it is the responsibility of the employee to notify the Public Safety Personnel Retirement System and complete any required paperwork or processes required by the system relating to the extension. A copy of the extension must also be provided by the employee to Human Resources.
  4. Public Safety employees entering DROP after the issuance of this regulation must state their timeframe intention when entering DROP via a memorandum to the Fire Chief. A copy of the memorandum must also be provided by the employee to Human Resources.

# Policy 1056 – Investigations

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Last Revision: 07/24/2024

## 1. PURPOSE AND SCOPE

SFMD is committed to maintaining a safe and respectful work environment. All complaints and allegations will be taken seriously and investigated promptly, thoroughly and impartially.

The purpose of this policy is to establish a clear and consistent framework for conducting workplace investigations to address complaints and allegations of misconduct, ensuring fairness, confidentiality, and compliance with legal requirements.

This policy applies to all employees and volunteers within the organization. It covers all types of workplace investigations, including but not limited to allegations of harassment, discrimination, bullying, theft, and other forms of misconduct.

## 2. GENERAL INFORMATION

The central contact for all investigations and related employee matters is the HR Manager. The HR manager under the direction of the Fire Chief will ensure due process and consistency in the handling of investigations.

## 3. DEFINITIONS

**Administrative Investigation:** Investigations conducted by district management and/or the district HR department in response to complaints or concerns that generally are personnel-related and non-criminal in nature

**Admonishment:** This is a verbal or written warning to employee(s) not to share or discuss information related to the fact-finding/investigation or retaliate in any manner against other employee(s), investigator(s), or supervisor(s) involved in the fact-finding/investigation.

**Complaint:** This is an expression of dissatisfaction from any source, internally and externally.

**Fact-Finding:** This is an initial review of allegations or incidents that arise, to determine not only what happened, but to assess the employee(s) involvement and determine the need for an administrative investigation.

**Garrity Protection:** This is afforded to a member who may be compelled during the course of an administrative investigation to give incriminating statements under threat of discipline or discharge from the district and those statements may not be shared or used in a criminal prosecution of the individual member.

**Notice of Finding:** This is a brief written summary to the member(s)/employee(s) that details the final disposition of the investigation as it relates to the allegation(s). This summary lists the specific policy(s) and/or procedure(s) violation(s) that support the findings.

**Notice of Inquiry (NOI):** An NOI will be used to put members/employees on notice that they are under investigation which could result in discipline, inform them of the nature of the allegations against them, and inform them of their right to union representation.

**Preponderance of Evidence:** Requires that evidence and witness testimony show that a greater than 50% likelihood of the alleged incident/conduct/policy violation occurred.

**Weingarten Rule:** An employee has the right to request Union representation before an administrative interview in which a supervisor questions an employee to obtain information that could be used as a basis for discipline or asks an employee to defend his/her conduct, and the employee has a reasonable belief that discipline or discharge may result from what he/she says.

#### 4. COMPLAINTS

Complaints are accepted in person, over the phone, in writing, via email or mail, internal or external, anonymously or through any other means of communication, and from a variety of sources.

TYPES OF COMPLAINTS	
<b>Formal Complaint</b>	An allegation of violation of district policy.
<b>Customer Service</b>	An allegation(s) of conduct where there is no clear violation of policy. (i.e. The customer’s expectation of service was not met but would like to discuss the matter with a supervisor.)
<b>Information Only</b>	An allegation of conduct where there is no clear violation of policy. (i.e. The customer’s expectation of service was not met, and the customer does not want contact.)

DISPOSITION AND FINDINGS	
The appropriate disposition of the allegation(s) will be determined using the below findings. Did the investigation establish a <b>Preponderance of Evidence</b> to support the allegation(s)?	
<b>Substantiated</b>	The preponderance of evidence makes it more likely than not that the infraction happened.
<b>Partially Substantiated</b>	The preponderance of the evidence makes it more likely than not that a part of the infraction happened; or that the infraction happened, but not as described.
<b>Unsubstantiated</b>	There is no evidence that the infraction happened, nor evidence to the contrary.
<b>Inconclusive</b>	There is some evidence to suggest that the infraction may have happened, but not enough to meet the preponderance of evidence standard.

## 5. COMPLAINT PROCEDURES

1. All complaints will be documented and forwarded to the HR Manager.
2. The HR Manager will define the nature of the complaint, the individuals involved, and the scope of the complaint.
3. The HR Manager will also receive associated information such as recorded audio files, written documents, emails, and reasons for the complaint.
4. If the HR Manager is unavailable, complaints will be forwarded to the Administrative Services Director.
5. The HR Manager will catalog the complaint, assign it a case number, and contact the complainant to ensure all facts and allegations are understood.
6. All complaints of a serious or criminal allegation will be managed by the HR manager in conjunction with executive staff.
7. All complaints involving a violation of district policy will be managed by the HR manager in conjunction with executive staff.
8. An investigator will be assigned and initiate contact with the complainant within 4 working days of receiving the complaint, or as soon thereafter as practical.
9. The assigned investigator will review facts obtained during the fact-finding related to the complaint.
10. During the review of fact-finding, if the investigator determines a possible violation of district policy, the HR manager or designee will then forward the information to the Fire Chief.
11. The Fire Chief will determine if an investigation is warranted.
12. If a policy violation is identified, a Notice of Inquiry (NOI) will be issued detailing the complaint and allegations to the employee.
13. After the investigation, the investigator will thoroughly document the findings and provide a final report (investigative summary/findings memo) to the Fire Chief for review. The Fire Chief may involve appropriate executive staff for review.
14. The Fire Chief or his designee will determine if the facts support the findings.
15. The Fire Chief and HR will determine the next steps to be taken, i.e. remedial training, coaching, counseling, discipline, etc. The Fire Chief will then authorize the preparation of a Notice of Findings (NOF).
16. The accused employee will be provided with a Notice of Findings.

## **6. DISPOSITION**

An employee who receives discipline (pay reduction, suspension, demotion, or termination) may request a copy of the information upon which the discipline was based.

When possible, all complaint investigations should be completed within 90 days of assignment.

It is the responsibility of the HR Manager to ensure that investigations are completed and the disposition/finding(s) is returned to the Fire Chief or his designee. The Investigator or HR may contact the complainant and inform them that the investigation has been concluded. (Please note the results of the investigation should not be shared with the complainant only that the investigation is complete, and all appropriate actions are being taken.)

# Policy 1057 – Disciplinary Appeal

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Last Revision: 07/24/2024

## 1. PURPOSE AND SCOPE

Disciplinary pay reductions, suspensions, demotions, and terminations may be appealed to the Office of Administrative Hearings (OAH).

## 2. GENERAL INFORMATION

Unless otherwise modified by contract, all employees of the Superstition Fire and Medical District are at-will employees, and except as modified by the terms of the policy or any applicable MOU, at-will/unclassified and probationary members may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy and without notice or at any time. Said members have no property right to future employment and are not entitled to any appeal rights under this policy. Any probationary period may be extended at the discretion of the Fire Chief.

## 3. RIGHT OF APPEAL

1. Only those matters considered a significant impact on employment; disciplinary pay reduction, suspension, demotion, and termination 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.
3. The OAH will appoint a competent and experienced administrative law judge (ALJ) according to the expertise of the ALJ 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 policy.
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, and subject to the limitation requirement imposed under District policy.

### 3.1 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 having a significant impact on employment which are disciplinary pay reduction, suspension, demotion, or termination.

The request for an appeal hearing should 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. The request for an appeal hearing shall also clearly identify the authority for the appeal, citing the specific policy provision allowing the same.

### 3.2 NOTICE

Upon receipt of the request for an appeal hearing, HR will contact the OAH to schedule a time for an appeal hearing as soon as is practical of a request from the 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 policy.

### 3.3 PRE-HEARING PROCEDURE

#### A. Pre-Hearing Statements

1. Upon receipt of the request for an appeal hearing HR should provide the appellant and management a pre-hearing statement form to be completed by each. The pre-hearing statement should include the following:
2. The names, addresses, and phone numbers of all parties to the appeal.
3. The names, addresses, and phone numbers of legal counsel or representatives for the parties.
4. A list of witnesses including addresses and phone numbers, and brief summaries of their testimony.
5. A description of the exhibits to be used at the hearing.
6. A statement of the facts supporting the party's position.
7. A statement of the policies or rules of law which apply.

B. The completed pre-hearing statement should be filed with the ALJ within ten (10) 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. 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 a 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. Witness or exhibits shall be added within five (5) working days of the hearing. Absence good cause, No 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.

### 3.4 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 business days of service, or as directed by the ALJ.

### 3.5 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.

### 3.6 MOTION FOR SUMMARY JUDGMENT

In instances where there is no genuine issue of material fact in dispute, either party may file a Motion for Summary Judgment on the matter which is the subject of the appeal or any portion of the matter which is the subject of the appeal no later than twenty (20) days prior to the hearing date. A response to the same shall be filed within five (5) days of service of the same. 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.

### 3.7 SUBMISSION IN GOOD FAITH

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

### 3.8 PRE-HEARING CONFERENCE

After acceptance of an appeal and designation of representatives, if any, the ALJ may, at the request of either party or on their 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, set time limits, and accept stipulations of the parties. The ALJ may rule on the admissibility of evidence or disapprove witnesses whose testimony is irrelevant or cumulative.

### 3.9 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.

#### B. Order, Burden, and Manner of Proof

1. The ALJ hearing rules shall govern the proceeding.
2. The ALJ may commence the hearing with the consideration of any pending motions or procedural matters.
3. The ALJ may request each party to make a brief opening statement.
4. The employee initiating the appeal should proceed next by presenting evidence by testimony or document or a combination thereof supporting the basis of the appeal. The employee is directed to show that the employment action taken was not reasonable or lawful.
5. The administration should proceed by its Fire Chief, or the Fire Chief's designee, and 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.
6. The ALJ may allow rebuttal evidence to be presented by either party before the ALJ.
7. Direct testimony should be presented under penalty of perjury, supported by oath of affirmation. Cross-examination should be allowed. Hearings need not be conducted according to technical civil rules of evidence.
8. 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.
9. The Employee shall have the burden of proof, supported by the preponderance of evidence on whether the discipline was justified.
10. The ALJ may request each party to give a closing statement.

11. The ALJ, in its discretion, may continue, postpone, or reschedule the hearing at any time.
12. The ALJ should consider the matter and may render their decision promptly 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.

#### **4. 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 for the cost.

#### **5. FINDINGS OF THE ADMINISTRATIVE LAW JUDGE (ALJ)**

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 which is the subject of the appeal.

If the ALJ determines the appealed action was unlawful, arbitrary, or taken without reasonable cause, the action should be reversed or modified. Otherwise, the action should be affirmed.

- A. The decision of the ALJ should be final and binding upon both the employee and the District, and therefore, not subject to further administrative appeal to any office or governing body of the SFMD.
- B. The findings of fact and conclusions of law should be transmitted to the District by the OAH within 20 days of the conclusion of the hearing.

# Policy 1058 – Work Trades

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Last Revision: 07/24/2024

## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish the work trade criteria and guidelines for SFMD employees.

## 2. POLICY

Shift personnel may engage in work trades with other employees. Work trades are arrangements between employees, reviewed and approved by the Battalion Chief (BC) or designee, and are a privilege extended to the employees. Tracking of payback is the responsibility of the employees.


## 3. WORK TRADES

1. Work trade requests must involve personnel who have like-for-like EMS certifications (ALS with ALS, BLS with BLS).
2. Ranked personnel may trade with the equivalent rank or persons who have the appropriate “Can Act As” in Telestaff and like-for-like EMS certification e.g. Captain with CaC, Engineer with CaE.
3. Non-rank-for-rank requests need to be sent to the respective Captains/BCs for approval.
4. Any employee may be denied the privilege of using a work trade by the immediate supervisor. The immediate supervisor must provide a written response to the employee stating the reason for denying the work trade within 24 hours after being notified of the work trade.
5. A work trade may be revoked at any time prior to twenty-four (24) hours before the exchange. This can only be done by the Shift BC and written notification must be provided to both employees stating why the work trade was revoked. The employee will be able to use earned leave, if the work trade has been revoked.
6. The employee initiating the work trade must ensure that proper documentation is completed prior to the work trade. The immediate supervisor and Shift BC will be given written/email documentation of the work trade. Failure to do so may result in disciplinary action.
7. Employees must follow established administrative policies for using work trades.
8. TeleStaff or other established electronic staffing modules will be used as the tracking and record-keeping system.
9. Hours worked as a result of work trades are not eligible for overtime compensation and overtime shifts are not eligible to be covered by work trades.

10. Employees may not compensate or incentivize another employee in any fashion for accepting the work trade.
11. Work trade hours considered excessive may be reviewed by the Fire Chief, or designee if it is felt to be inappropriate or detrimentally impacting the organization.
12. An employee who fails to report for an agreed-upon work trade will have the absence deducted from the most appropriate leave category in accordance with policies 1053 Earned Leave and 1052 Special Leaves.

### 3.1 EMERGENCY WORK TRADES

1. On a case-by-case basis, and as deemed appropriate by the Fire Chief, or designee, employees may donate work trades for injured or sick employees with the expectation that they will not be paid back.
2. Non-like-for-like emergency work trade donations may be approved by the staffing BC based on need.
3. Emergency work trade donations must be documented as a “donated work trade” in the scheduling software notes.



# Chapter 11: Facilities

# Policy 1100 – Facility Security

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the physical security of fire stations and other district facilities. The safety and security of district members is the primary purpose of this policy.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to provide physical security measures for all facilities under district control.

## 3. GUIDELINES

District members should apply the following guidelines whenever practicable.

### 3.1 ADMINISTRATION OFFICES

Public access facilities should only be accessible to the public during published business hours and only when sufficient staffing is available to monitor the movement of visitors and restrict access to areas containing confidential or sensitive materials or information.

No public access to the facility should be permitted outside of the published business hours. The facility should be secured against unauthorized entry when closed or when sufficient district personnel are not available to monitor visitor access.

### 3.2 FIRE STATIONS

Fire stations are considered secure facilities with limited public access. Public access to a fire station shall only be permitted into the designated public access area, which should be kept free of confidential records, reports, or other protected materials.

A member of the District should accompany any visitor entering the controlled areas of the fire station. All visitors should be monitored throughout their stay at the fire station. In the event of emergency traffic, visitors will be asked to leave the station. The general public with minor children are to be supervised by the responsible guardian at all times. The public should not be allowed access to the member sleeping quarters of the station or to any area where members have private lockers or storage for personal belongings. Visitors should not be allowed to take photographs, electronic images, or other recordings while inside a fire station unless it is essential to the purpose of the visit.

In the event that a family member is visiting an SFMD facility, they must remain in the day room if the crew is not in quarters. Access to the bay or fitness areas within a station are prohibited without SFMD members present.

### 3.3 BREACH OF SECURITY

All members are responsible for assisting in maintaining the security of district facilities.

Any breach in security should be reported as soon as practicable, through the chain of command, to the chief officer or division manager responsible for the facility.

Any criminal activity that occurs and that poses a threat to district members should immediately be reported to the Fire Chief and local law enforcement. If warranted by conditions or circumstances, all on-duty members should be notified of the incident and any recommended precautions as soon as practicable. Other members of the District should be notified of the incident as soon as practicable, given the totality of the circumstances.

### 3.4 SUSPICIOUS ACTIVITY

District members should be vigilant about any suspicious activity occurring in or around district facilities and should report any such activity, through the chain of command, to the chief officer or division manager responsible for the facility. In some circumstances it may be necessary to immediately contact law enforcement to investigate a suspicious activity or circumstance. Suspicious activity may include, but is not limited to:

- Anyone loitering in the vicinity of the facility for an extended period of time.
- Unknown individuals photographing or taking images of the facility, of members of the District assigned to the facility or of district vehicles or apparatus.
- Unknown individuals who appear to be monitoring the activities taking place at the facility.
- Anyone attempting to gain access or requesting access to district facilities without proper authorization.
- Any abandoned packages or other items left on district grounds or adjacent to district facilities.
- Any unknown or abandoned vehicles left on district grounds or adjacent to the district facility.

# Policy 1101 – Flag Display

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Superstition Fire & Medical District regarding the proper display of the flags of both the United States and the State of Arizona.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District to display flags at district facilities in compliance with Arizona and federal laws.

## 3. DISPLAYING THE FLAG OF THE UNITED STATES

Federal law providing for the use and the display of the U.S. flag is contained in Title 4 Chapter 1 of the United States Code, commonly referred to as the "Flag Code." Members of this district will display the flag of the United States in accordance with the provisions of 4 USC § 1 through 4 USC § 10.

### 3.1 DISPLAY OF THE U.S. FLAG IN DAILY OPERATIONS

District members should consult the Flag Code for guidance whenever the flag of the United States is to be displayed in any manner. This is to ensure that the display is presented in accordance with the Flag Code and as follows:

1. The United States flag should be conspicuously posted on all district facilities during hours of operation.
2. It is the universal custom to display the flag only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness (4 USC § 6).
3. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed (4 USC § 6).
4. The U.S. flag may only be flown at half-staff by Presidential or Gubernatorial decree, and on Memorial Day until noon (4 USC § 7).

Whenever the U.S. flag is displayed in conjunction with other flags or symbols it should occupy the "Place of Honor" (4 USC § 7).

#### **4. DISPLAY OF THE ARIZONA STATE FLAG**

Members of the Superstition Fire & Medical District will display the Arizona State flag prominently and in the proper position of honor in accordance with the United States Flag Code.

##### **4.1 DISPLAY OF THE ARIZONA FLAG IN DAILY OPERATIONS**

District members should consult the Arizona Department of Administration (ADOA) for guidance whenever the flag is to be displayed in any manner to ensure that the display is presented appropriately. Displays of the flag should be consistent with the following protocol:

1. The flag should be conspicuously posted on all district facilities during hours of operation.
2. Generally, the flag should be displayed only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness.
3. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
4. The flag shall be flown at half-staff whenever the flag of the United States is flown at half-staff, and may only be flown at half-staff at other times by order of the Governor of Arizona.
5. Whenever the flag is displayed in conjunction with the United States flag, the United States flag shall occupy the position of first honor (4 USC § 7). When the flag is displayed in conjunction with other flags or symbols, it should occupy the position of honor.

For flag display protocol subsequent to a line-of-duty death, see the Line-of-Duty Death Policy.

# Policy 1102 – Use of District Facilities

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## 1. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of district facilities and meeting rooms.

## 2. 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.

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.

The SFMD reserves the right to deny access or to alter the schedule in its sole discretion.

The following schedule procedures will be followed by SFMD staff for managing the public's use of the SFMD facilities.

1. A request must be made not less than one week in advance.
2. 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.
3. 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.
4. 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 layout found prior to the event.
5. All functions should be conducted in a manner not to violate any law, ordinance, or SFMD policy.
6. The maximum number of people permitted in any SFMD meeting room should not exceed the posted occupancy limit.
7. The use of tobacco products on SFMD premises is prohibited.
8. Alcoholic beverages on SFMD premises are prohibited.
9. Food and beverages are permitted only as specified on the Hold Harmless Agreement.
10. Political campaigning and election advocacy are prohibited.

The SFMD Board of Directors sets the fee schedule, which may include any/all of the following:

1. Refundable Deposit - Payable and required at the time of scheduling for the use of a meeting room. Any deposit will be refunded when the room is no longer needed.
2. Use Fee - Payable and required at the time of scheduling for each use of a meeting room.
3. Janitorial Fee - Assessed only if the meeting room requires additional cleaning after the scheduled use.

## 2.1 BOARD ROOM

The SFMD's Board Room should be available only for use by the SFMD or other groups as approved by the Fire Chief.

## 2.2 COMMUNITY ROOM

The Gold Canyon Fire Station 264 Community 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

## 2.3 FAMILY USE OF FITNESS CENTER

It is the purpose of the Superstition Fire & Medical District (SFMD) 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.

Family member use of the SFMD Fitness Center should adhere to the following guidelines:

1. Family members must complete an orientation with an available fitness coordinator before using the Fitness Center.
2. Family members must sign a waiver releasing the SFMD from liability; if under the age of 18, a parent/guardian and employee must sign the waiver.
3. Family members must be at least 14 years of age to use the Fitness Center.
4. Family members must be accompanied by the SMFD employee when using the Fitness Center.

5. Family members younger than 14 years 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.
6. Family members must be part of the employee's immediate family that lives in the same household.
7. All non-employees will need to sign in on the sign-in sheet.
8. Family members may only use the Fitness Center from 0600-2100.
9. 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.
10. Retirees of both the SFMD and the Apache Junction Police Department will be allowed to use the Fitness Center.
11. No pets allowed inside the Fitness Center.
12. The SFMD reserves the right to end or suspend this policy at any time. The SFMD also reserves the right to suspend or revoke an individual's access to the Fitness Center.



# Chapter 12: Finance

# Policy 1200 – Procurement Policy: Documentation for the Purchase of Goods and Services

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Last Revision: 07/19/2023

## 1. GENERAL

It is the fiduciary responsibility of the Superstition Fire & Medical District (SFMD) Board of Directors (BOD) to ensure that public funds are expended to best benefit the public and community. To accomplish this, the Fire Chief develops a budget document each fiscal year for BOD adoption. The budget document establishes the public policy of SFMD through the allocation of public funds. The Fire Chief is responsible for ensuring that the expenditure of public funds throughout the fiscal year coincides with the BOD's public policy initiatives.

## 2. PURPOSE

To establish policy and procedure for procuring and approving all expenditures for supplies, equipment, materials, and services (“Goods and Services”) necessary to effectively and efficiently provide services to the community. This policy applies to all personnel directly or indirectly involved with the procurement of Goods and Services for SFMD.

## 3. POLICY

It is the policy of SFMD to ensure that all expenditures are authorized in the SFMD fiscal year budget, properly encumbered, and accounted for and that a complete history of each expenditure transaction is established.

It is the policy of SFMD to ensure the terms and conditions of A.R.S. §38-511 be included in any agreement or contract negotiated on behalf of SFMD. The agreement or contract includes definitive language recognizing A.R.S. §38-511 and its legally binding effects on the agreement or contract in question and all parties associated with the agreement or contract.

#### **4. POLICY FOR PROCUREMENT OF GOOD AND SERVICES**

##### **4.1 PURCHASE ORDER (PO) REQUIREMENTS/TYPES**

###### **1. Standard PO**

A PO must be completed for each procurement request, all supporting documentation (invoice, packing slip(s), bids if applicable, and procurement form) must be attached to the PO, and the PO must be approved by the budget manager before being submitted for review and approval per this Policy. It is the budget manager's responsibility to ensure that all required approvals are documented on the PO and that all supporting documentation is turned into accounting in a timely manner.

In instances where SFMD needs an item in an emergency to protect the public or ensure seamless service delivery, an approved PO can (and must) be submitted after the purchase has occurred. In all cases, the budget manager must ensure that all applicable taxes and fees are included in the total amount of expenditure documented in the PO.

Each purchase shall be made from the vendor offering the lowest responsible price quote. Responsible is defined as the best combination of price, service, warranty, locale, compatibility, and/or cost of repair. On all purchases, the buyer should take into consideration warranty, local businesses, service, and workmanship. If the lowest bid isn't the best value for SFMD, the buyer must bring forward supporting documentation as to why a higher bid should be considered.

###### **2. Annual PO**

An Annual PO is used for the procurement of Goods and Services, which involves a recurring, frequent, or monthly purchase from a specific vendor during the fiscal year. Accounting will issue an Annual PO number to the awarded vendor, which will be utilized throughout the fiscal year. This method does not preclude competitive quotes and bid requirements. This method only applies to the procurement of Goods and Services as described on the Annual PO(s).

4.2 PROCUREMENT – REQUIREMENTS AND APPROVALS

<b>Procurement Requirements and Authorized Approvals</b>		
<b>Spending Thresholds</b>	<b>Required Documentation</b>	<b>Required Approvals</b>
<b>\$0.00 - \$7,499.99</b>	Purchase Order	1. Budget Manager
<b>\$7,500.00 - \$14,999.00</b>	Purchase Order	1. Budget Manager 2. Assistant Chief or Director
<b>\$15,000.00 - \$24,999.99</b>	Purchase Order, 3 Price Quotes, and Procurement Form	1. Budget Manager 2. Assistant Chief or Director 3. Fire Chief
<b>\$25,000.00 and Over</b>	Purchase Order, 3 Price Quotes, Procurement Form, and Board Approval	1. Budget Manager 2. Assistant Chief or Director 3. Fire Chief 4. Board Approval

NOTES: The Board has complete authority to require or waive the need for Competitive Written Bids for Professional Services, defined as the provision of services such as Accounting, auditing, legal, consulting, and other such services that individuals or firms provide with specialized skills and/or credentials.

Also, the Board has complete authority to mandate whether the Request for Proposal (RFP) competitive bid process is to be used and/or if sealed bids are to be required for any purchase.

4.3 WAIVER OF COMPETITION

Although the overriding intent of this policy is that competitive pricing is required whenever possible, there are times when competitive pricing may be waived pursuant to this section. Competitive pricing may be waived for the following conditions:

1. Government, State Contract & Inter-Governmental Agency Agreement. When using State Contracted vendors, the Contract # and Agency must be documented on the PO.
2. Single source procurement (attach supporting information).
3. Emergency purchase (The Fire Chief is to be notified of all emergency purchases and will provide an explanation to the BOD within 72 hours).
4. Efforts to obtain competitive pricing result in no competing offers.
5. Standardization/Compatibility requirements prevent the use of alternative vendors.

#### 4.4 OTHER MEANS OF PROCURING GOODS AND SERVICES

##### 1. Credit Card

The use of Credit Cards must follow all Procurement Policy guidelines as listed above. A PO must be prepared for all credit card purchases and all appropriate receipts must be provided to accounting.

The use of personal credit cards for the purchase of District goods and services is strictly prohibited when access to a District credit card is available unless there is an emergency need or if the expense relates to the purchase of items on wildland deployments or college tuition that the employee is reimbursed for per District policy. The Fire Chief must approve any personal credit card usage in emergency situations before reimbursement.

##### 2. Expense Reimbursement

Employees seeking reimbursement for required and authorized expenditures must:

- Complete an SFMD Personal Expense Reimbursement Form.
- Attach all receipt(s) to the form.
- If mileage reimbursement is requested, documentation showing miles to and from must be attached. Mileage reimbursement will be based on the current federal rate for mileage.
- The Reimbursement Form must have Assistant Chief or Director's approval prior to submission to Accounting for payment.
- Expense reimbursement requests must be submitted within the fiscal year of expense.

#### 4.5 PROCESSING OF TRANSPORT REFUNDS

When a transport refund is required, it will be processed as follows:

1. An annual PO will be established in accounting for all refunds to be processed. Since the annual PO will be used for refunds of an undetermined amount and number, the annual PO will have an undefined dollar limit.
2. The Transportation Services Director will approve all requests for transport refunds.

#### 4.6 ELECTRONIC SIGNING OF MANUAL CHECKS

The accounting staff will email the weekly check reports to all five (5) Board members. Electronic signatures of the Board Chair and the Board Clerk will be printed on all District manual checks related to payables provided accounting staff receives email approval from two (2) Board members.

#### 4.7 FEDERAL GRANT PROCUREMENT STANDARDS / GUIDELINES

Any procurement of goods and services using Federally awarded grant funds must comply with the Uniform Guidance at 2 Code of Federal Regulations (2CFR) Part 200, §200.311 – Real Property, §200.313 - Equipment, §200.318 - General Procurement Standards, and §200.214 - Suspension and Debarment.

In summary, these Standards require the recipient or sub-recipient agency:

- 4.7.1 Have and use documented procurement procedures consistent with and conforming with procurement standards identified in §§ 200.317 through 200.327.
- 4.7.2 Ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- 4.7.3 Maintain written standards of conduct covering conflict of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if s/he has a real or apparent conflict of interest.
- 4.7.4 Maintain procurement procedures that avoid the acquisition of unnecessary or duplicative items.
- 4.7.5 Is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever feasible and reduces project costs.
- 4.7.6 Must maintain records sufficient to detail the history of procurement. These records will include but are not necessarily limited to the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- 4.7.7 Part §200.214 restricts awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. A documented search of the Sam.gov exclusions list is a requirement prior to awarding contracts to contractors or companies.
- 4.7.8 Part §200.302 mandates that the financial management system of each non-Federal recipient or sub-recipient agency must be sufficient to provide reports required by general and program-specific terms and conditions, identify all federal awards received and expended by Federal program, and accurate, current, and complete disclosure of the financial results of each Federal award in accordance with reporting requirements set forth in §200.328 and §200.329. Part §200.302 (b) (7) mandates that written procedures for determining the allowability of costs in accordance with subpart E and the terms and conditions of the Federal award be maintained.

4.7.9 Part §200.305 states that if a non-Federal recipient or sub-recipient receives advanced payments instead of submitting reimbursement requests, payment(s) methods must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the non-Federal entity whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means. Pertaining to advanced payments, the recipient or sub-recipient maintains both written procedures that minimize the time elapsing between the transfer of funds and disbursement by the non-Federal entity and financial management systems that meet the standards for fund control and accountability as established in this part.

4.7.10 Part §200.311 defines the requirements and conditions regarding the acquisition, title, and disposition of real property acquired using Federally awarded grant funds.

4.7.11 Part §200.313 defines the requirement and conditions regarding the acquisition, title, and disposition of equipment acquired using Federally awarded grant funds.

The Uniform Guidance at 2 CFR can be accessed at <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>.

## 4.8 SINGLE AUDIT REQUIREMENTS

The Single Audit Act establishes requirements for audits of States, local governments, and nonprofit organizations that expend a certain amount in Federal awards during its fiscal year (currently set at \$750,000). Single audits are performed by independent auditors and encompass both financial and compliance components. The Compliance Supplement is based on the requirements of the 1996 Single Audit Act Amendments and 2 CFR part 200, subpart F, which provide for the issuance of a compliance supplement to assist auditors in performing the required audits. The auditee must demonstrate compliance with the Uniform Guidance at 2 Code of Federal Regulations that govern the procurement of goods and services using Federally awarded grant funds.

## 5. Capital Assets

5.1 To distinguish between capital items and operating items for purposes of budgeting for capital improvements, financial planning, providing for the stewardship of assets, financial reporting, and for providing information for insurance purposes, capital assets are defined as buildings, land, major improvements other than buildings, machinery, and equipment, with a cost of \$5,000 or more; or groups of same items purchased in the same fiscal year that serve the same purpose, and, with an estimated useful life greater than one year, and all land regardless of value. Subscription-based information technology arrangements are addressed in Policy section 5.2.

5.1.1 For the purposes of depreciating capital assets, the district will use the Straight-Line Method as based on the asset valuation and estimated useful life. The following ranges are guidelines for setting estimated useful life for depreciating assets.

Land	Non-Depreciable
Buildings and improvements	10 to 25 years
Machinery and equipment	5 to 15 years
Vehicles	5 to 15 years
IT Assets	3 years

5.2 Subscription-based information technology arrangements (SBITA) are defined as contracts that convey control of the right to use another party's IT software, alone or in combination with tangible capital assets, as specified in the contract, for a period of time longer than 12 months, that have a value that is more than the threshold established from the date of implementation that will ensure that 90% of the total costs of all SBITAs are recorded as assets in accordance with GASB 96.

5.3 The guidance contained herein is intended to adhere to GASB pronouncement 96 SBITA. In case of any differences between Policy Section 5 and GASB 96, GASB 96 will prevail.

## **6. Leases**

6.1 GASB 87, Leases requires state and local governmental organizations and agencies to capitalize leases previously classified as operating leases. For the implementation of GASB 87, the district is setting a \$100,000 materiality threshold for an individual operating lease to require capitalization.

6.2 To identify and properly record lease assets/liabilities or lease receivables/deferred inflows in accordance with GASB 87, leases are defined as a contract that conveys the right to use another entity's nonfinancial asset as specified in the contract/agreement for a period more than one year in an exchange or exchange-like transaction whose net present value is greater than \$100,000. This section does not pertain to leases that convey ownership which are now termed as financed purchases. Leases under this policy can be leased by or from the Entity.

6.3 In instances where the District is the lessee, qualifying leases should be recorded at the present value of payments expected to be made during the lease term, including the following: fixed payments, variable payments that depend on an index or a rate (such as the Consumer Price Index or a market rate) measured using the index or rate as of the commencement of the lease term, variable payments that are fixed in substance, amounts that are reasonably certain to be paid under residual value guarantees, the exercise price of a purchase option if reasonably certain that the option will be exercised,

payments for termination penalties if it is reasonably certain that option will be exercised, any lease incentives receivable from the lessor, any other payments that are reasonably certain of being required, the future lease payments should be discounted using the interest rate the lessor charges the lessee. If the rate is not readily determinable, the lessee's incremental borrowing rate should be used, that is, the interest rates the state would be charged to finance a similar asset. Variable payments based on the future performance of the lessee or usage of the underlying asset, such as charges based on hours equipment was used, should not be included in the measurement of the lease. The intangible right-to-use leased asset should be recorded at the sum of the lease liability, any ancillary charges and lease payments made to the lessor at or before the commencement of the lease term, less any lease incentives received from the lessor at or before the commencement of the lease term.

- 6.4 The guidance contained herein is intended to adhere to GASB pronouncement 87 Leases. In case of any differences between Policy Section 6 and GASB 87, the guidance provided by GASB 87 will prevail.

# Policy 1201 – Payroll

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Last Revision: 09/18/2024

## 1. PURPOSE AND SCOPE

The payroll policy is established to ensure accurate and timely compensation for all employees in compliance with applicable laws and organizational guidelines. Employees will be paid on a regular and consistent schedule, as outlined by the payroll calendar.

## 2. POLICY

It is the policy of the Superstition Fire & Medical District that compensation practices are fair, transparent, and aligned with organizational objectives.

## 3. PROCEDURE

The policy establishes procedures for approving additions or changes to employee compensation and benefits to ensure the accuracy of compensation, compliance with applicable laws, and safeguard against errors and inconsistencies.

### 3.1 ADDITIONS OR CHANGES TO AN EMPLOYEE RECORD

The processing of any changes to an employee payroll record will be completed through the Human Resources Information System (HRIS). Employee payroll changes will be kept in accordance with the Arizona State Library Retention Schedule.

### 3.2 CHANGES TO EMPLOYEE PAYROLL

Payroll changes are initiated by the Fire Chief's Office or his designee via email and finalized through an HR Action. These HR Actions document all essential employee details, including but not limited to job classification, benefit selections, promotions, and any other actions necessitating a pay adjustment.

### 3.3 CHANGES TO EMPLOYEE BENEFITS

Employee benefit changes most commonly occur during open enrollment or a qualifying life-changing event. The HR department in conjunction with payroll is responsible for processing benefit change requests in a timely manner. HR will provide assistance and guidance to employees regarding their benefit options. Employees are responsible for ensuring that their benefit selections are accurate, and any discrepancies or issues must be reported to the HR department immediately. Benefit changes will take

effect on the first day of the month following approval, unless otherwise specified. Employees can contribute to their Health Savings Account (HSA) and/or 457(b) Deferred Compensation account up to the annual maximum allowed by federal IRS guidelines.

### 3.4 CHANGES TO EMPLOYEE VACATION AND SICK LEAVE ACCRUALS

Employee accrual rates are captured and calculated through SFMD's Human Resources software platform. The HR department will verify the accuracy of the information to ensure compliance with District policy and legal requirements. This also encompasses employee transitioning from a 56-hour work week to a 40-hour work week, and vice versa. Employees are responsible for understanding their accrual rates and reporting discrepancies to HR in a timely manner.

The vacation, and sick accrual rate schedule can be found in policy 1053 Earned Leave and the MOU for both 56-hour and 40-hour employees.

### 3.5 TERMINATION, RESIGNATION, OR RETIREMENT OF AN EMPLOYEE

The final compensation (wages earned, accrued vacation, and accrued sick leave, if applicable) for an employee who is ending their employment with the district will be processed by HR Manager. All employee insurance premiums owed to the district, along with the date each insurance benefit ends and/or any tuition reimbursement that is refundable to the district per policy, are to be subtracted from the final compensation. If the final paycheck doesn't cover the amount owed to SFMD, a payment plan will be arranged.

# Policy 1202 – Disposition of Surplus Property

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Last Revision: 11/17/2021

## 1. PURPOSE

To establish policy and procedure for the disposition of surplus property. This policy is to apply to all Superstition Fire & Medical (SFMD) personnel.

## 2. GENERAL

From time to time, SFMD has a need to dispose of property that is no longer needed. The Board of Directors (BOD) has the sole responsibility for determining the surplus status of property and designating the manner of disposition of surplus property. The BOD, at their discretion, may delegate the authority of manner of disposition of surplus property.

## 3. POLICY

It is the policy of SFMD that property which is no longer needed, not cost effective to repair, is deemed obsolete, or is otherwise no longer useful to SFMD shall be itemized and presented to the BOD with a recommendation from the Fire Chief, or the Fire Chief's designee, to be declared as surplus property.

### 3.1 TYPES OF SURPLUS PROPERTY

There are four (4) types of property SFMD may declare as surplus and divest itself of:

#### 1. Real Property

- a. The BOD shall determine the manner in which surplus real property will be disposed of, and shall consider all available options of disposal including listing with a local real estate agent, trade, auction, or other manner of disposition which the BOD determines would be in the best interest of SFMD.

#### 2. Titled Motor Vehicles and Apparatus

- a. As instructed by the BOD, the Fire Chief is authorized to dispose of surplus vehicles and apparatus through a public or private auction service (with an established reserve or minimum), bid process, or through the Arizona State Surplus. The Fire Chief should take into consideration the type and condition of the vehicle or apparatus, estimated monetary value, and relative usefulness to another public safety or governmental agency in his/her recommendation to the BOD. Any other means of disposition of a vehicle or apparatus will require prior approval by the BOD.

### 3. Other Inventoried Property

- a. For the purposes of the policy, “Other Inventoried Property” includes personal property items which are not “capital assets” with SFMD’ inventoried property system; which means they do not have a capital asset tracking number, and are not carried on SFMD’s financial books as a capital asset. This may include such machinery and equipment, durable goods, and other similar non-capital assets of the SFMD.
- b. The process will be to gather and itemize the surplus property as necessary. Any items not needed within SFMD shall be proposed to the BOD for designation as Surplus Property.
- c. The BOD shall determine the manner in which surplus “Other Inventoried Property” shall be disposed of and shall consider all available options including a sale to another public agency (as described below), an internal auction, selling the items as scrap, selling the items through the Arizona State Surplus, or any other manner of disposition deemed appropriate.

### 4. Non-Inventoried Property

- a. For the purposes of this policy, “Non-Inventoried Property” includes property items that are not capital in nature, and are not tracked within the SFMD’s asset tracking system. With the exception of items described in 4b below, non-inventoried surplus property is to be disposed of within the same policy guidelines as Other Inventoried Property detailed in items 3b and 3c above.
- b. For non-inventoried surplus items associated with employees separating from SFMD such as used helmets, boots, and badges, the BOD delegates authority to the Fire Chief, at his/her discretion, to sell any of these items to employees who are separating service from SFMD. The sale price of such items is to be at a reasonable nominal price as determined by the Fire Chief.

### 3.2 SPECIAL CONSIDERATION TO PUBLIC SAFETY OR GOVERNMENTAL AGENCIES

In the event a public safety or governmental agency has a need for SFMD’s surplus property, the BOD may consider the benefit to SFMD or an overall benefit to public safety for a direct sale of surplus property for a minimal value.

### 3.3 NO REPRESENTATIONS OF WARRANTIES

The disposition of all SFMD surplus property will be “AS IS, WHERE IS’ with no representations or warranties implied whatsoever.

### 3.4 NO PERSONAL USE OF SFMD PROPERTY

No SFMD property shall be taken by any employee at any time, including any item(s) declared as surplus, damaged, or otherwise unusable. Employees shall follow purchasing guidelines as any other purchaser of

SFMD surplus property, including participating in an internal, public, or private auction as deemed appropriate by the BOD.

### 3.5 PROCEEDS FROM THE SALE OF SURPLUS SFMD PROPERTY

1. Upon disposition of surplus property, SFMD will present to the buyer a receipt and release for all items bought and sold, or otherwise distributed, per this policy.
2. All proceeds, regardless of form (e.g., check or cash), along with a copy of the sale receipt documenting the agreed upon sale price, is to be immediately turned into Accounting for recording and deposit.
3. Real property, apparatus, and machinery and equipment valued at \$5,000 or more should have the proceeds deposited in the Capital Projects Fund. The proceeds from non-capitalized equipment and machinery will be recorded in the General Fund unless otherwise directed by the BOD and in accordance with Generally Accepted Accounting Principles as applicable to SFMD.

# Policy 1203 – Pension Funding Policy

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Annual Pension Funding Policy adopted by the Board of Directors on 06/18/2024

## SUPERSTITION FIRE & MEDICAL DISTRICT PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM ANNUAL PENSION FUNDING POLICY

The intent of this policy is to clearly communicate the Fire Board’s pension funding objectives and its commitment to our employees and the sound financial management of the Superstition Fire and Medical District and to comply with statutory requirements of Laws 2018, Chapter 112

Several terms are used throughout this policy:

**Unfunded Actuarial Accrued Liability (UAAL)** – Is the difference between trust assets and the estimated future cost of pensions earned by employees. This UAAL results from actual results (interest earnings, member mortality, disability rates, etc.) being different from the assumptions used in previous actuarial valuations.

**Annual Required Contribution (ARC)** – Is the annual amount required to pay into the pension funds, as determined through annual actuarial valuations. It is comprised of two primary components: normal pension cost – which is the estimated cost of pension benefits earned by employees in the current year; and amortization of UAAL – which is the cost needed to cover the unfunded portion of pensions earned by employees in previous years. The UAAL is collected over a period of time referred to as the amortization period. The ARC is a percentage of the current payroll.

**Funded Ratio** – Is a ratio of fund assets to actuarial accrued liability. The higher the ratio the better funded the pension is with 100% being fully funded.

**Intergenerational equity** – Ensures that no generation is burdened by substantially more or less pension costs than past or future generations.

The Superstition Fire and Medical District fire employees who are regularly assigned hazardous duty participate in the Public Safety Personnel Retirement System (PSPRS).

### Public Safety Personnel Retirement System (PSPRS)

PSPRS is administered as an agent multiple-employer pension plan. An agent multiple- employer plan has two main functions: 1) to comingle assets of all plans under its administration, thus achieving economy of scale for more cost efficient investments and invest those assets for the benefit of all members under its administration and 2) serve as the statewide uniform administrator for the distribution of benefits.

Under an agent multiple-employer plan each agency participating in the plan has an individual trust fund reflecting that agencies’ assets and liabilities. Under this plan all contributions are deposited to and distributions are made from that fund’s assets, each fund has its own funded ratio and contribution rate,

and each fund has a unique annual actuarial valuation. The Superstition Fire and Medical District has one trust fund for fire employees.

The Fire Board formally accepts the assets, liabilities, and current funding ratio of the Superstition Fire and Medical District PSPRS trust funds from the June 30, 2023 actuarial valuation, which are detailed below.

### Liabilities and Funded Ratios – Tiers 1 & 2

	June 30, 2023	June 30, 2022
<b>Pension</b>		
Actuarial Present Value of Benefits (PVB)		
Retirees and Beneficiaries	\$ 33,856,384	\$ 29,676,692
DROP Members	15,259,508	14,904,411
Vested Members	922,457	502,854
Active Members	<u>36,415,827</u>	<u>38,486,092</u>
Total Actuarial Present Value of Benefits	86,454,176	83,570,049
Actuarial Accrued Liability (AAL)		
All Inactive Members	50,038,349	45,083,957
Active Members	<u>27,980,892</u>	<u>29,111,750</u>
Total Actuarial Accrued Liability	78,019,241	74,195,707
Actuarial Value of Assets (AVA)	75,160,609	72,096,500
Unfunded Actuarial Accrued Liability	2,858,632	2,099,207
PVB Funded Ratio (AVA / PVB)	86.9%	86.3%
AAL Funded Ratio (AVA / AAL)	96.3%	97.2%
<b>Health</b>		
Actuarial Present Value of Benefits (PVB)		
Retirees and Beneficiaries	\$ 457,361	\$ 449,984
DROP Members	227,532	232,679
Active Members	<u>615,371</u>	<u>657,592</u>
Total Present Value of Benefits	1,300,264	1,340,255
Actuarial Accrued Liability (AAL)		
All Inactive Members	684,893	682,663
Active Members	<u>486,376</u>	<u>510,919</u>
Total Actuarial Accrued Liability	1,171,269	1,193,582
Actuarial Value of Assets (AVA)	1,295,417	1,248,080
Unfunded Actuarial Accrued Liability	(124,148)	(54,498)
PVB Funded Ratio (AVA / PVB)	99.6%	93.1%
AAL Funded Ratio (AVA / AAL)	110.6%	104.6%

### Liabilities and Funded Ratios – Tier 3

	June 30, 2023	June 30, 2022
<b>Pension</b>		
Actuarial Present Value of Benefits (PVB)		
Retirees and Beneficiaries	\$ 2,783,769	\$ 944,111
Vested Members	6,565,608	3,654,003
Active Members	<u>558,509,014</u>	<u>403,144,180</u>
Total Actuarial Present Value of Benefits	567,858,391	407,742,294
Actuarial Accrued Liability (AAL)		
All Inactive Members	9,349,377	4,598,114
Active Members	<u>101,611,814</u>	<u>64,341,090</u>
Total Actuarial Accrued Liability	110,961,191	68,939,204
Actuarial Value of Assets (AVA)	119,101,476	76,171,857
Unfunded Actuarial Accrued Liability	(8,140,285)	(7,232,653)
PVB Funded Ratio (AVA / PVB)	21.0%	18.7%
AAL Funded Ratio (AVA / AAL)	107.3%	110.5%
<b>Health</b>		
Actuarial Present Value of Benefits (PVB)		
Retirees and Beneficiaries	0	0
Active Members	<u>7,842,159</u>	<u>5,807,514</u>
Total Present Value of Benefits	7,842,159	5,807,514
Actuarial Accrued Liability (AAL)		
All Inactive Members	0	0
Active Members	<u>1,651,466</u>	<u>1,075,733</u>
Total Actuarial Accrued Liability	1,651,466	1,075,733
Actuarial Value of Assets (AVA)	3,508,666	2,281,928
Unfunded Actuarial Accrued Liability	(1,857,200)	(1,206,195)
PVB Funded Ratio (AVA / PVB)	44.7%	39.3%
AAL Funded Ratio (AVA / AAL)	212.5%	212.1%

#### PSPRS Funding Goal

Pensions that are less than fully funded place the cost of service provided in earlier periods (amortization of UAAL) on the current taxpayers. Fully funded pension plans are the best way to achieve taxpayer and member intergenerational equity. Most funds in PSPRS are significantly underfunded and falling well short of the goal of intergenerational equity.

## Proposition 207

In 2020, AZ voters approved Prop 207 the “Smart and Safe Arizona Act.” As part of this initiative a “Smart and Safe, Arizona Fund” was established to receive revenue from a 16% excise tax and licensing and registration fees. As a fire department with individuals enrolled in PSPRS, the Fire District is eligible to receive this revenue based on the number of PSPRS individuals and taxes and fees collected. The Arizona State Treasurer will distribute these funds biannually, June 30 and December 31.

## Senate Bill 1298/Certificates of Participation

In 2021, Senate Bill 1298 was passed with an emergency clause to immediately allow fire districts to utilize its current ability to lease purchase and/or issue “Certificates of Participation” (CoP’s) for the purpose of paying a district’s accumulated UAAL. Conversely, the PSPRS assumed earnings/discount rate is 7.30% and is applied to all liabilities. In July 2021, the District sold the CoP’s and refinanced their unfunded pension debt to PSPRS.

### **The Fire Board’s PSPRS funding ratio goal is 100% (fully funded).**

Fire Board established this goal for the following reasons:

- The PSPRS trust funds represent only the Superstition Fire and Medical District liability.
- The fluctuating cost of an UAAL causes strain on the Superstition Fire and Medical District budget, affecting our ability to provide services.
- A fully funded pension is the best way to achieve taxpayer and member intergenerational equity.

Fire Board has taken the following actions to achieve this goal:

- Maintain ARC and CoP payments from operating revenues – Fire Board is committed to maintaining the full ARC and CoP payments (normal cost and UAAL amortization) from operating funds.
- In July 2021, the district issued CoP’s for the purpose of refinancing the District’s PSPRS UAAL at a lower financing rate than the PSPRS “assumed earnings/discount rate” over a level “year over year” payment schedule.
- Annually evaluate prior year’s budget compared to actual expenditures may permit excess payments.
- It is the policy of the Fire District Board to use the money received from the Smart and Safe Arizona Fund to pay the districts PSPRS related liabilities.

Based on these actions the Fire Board plans to maintain its goal of 100% funding, in accordance with the amortization timeline set forth by the PSPRS June 30, 2023 Actuarial Valuation.