

## Rules and Regulations

Administrative Regulations  
Policy 118.0  
Discipline



### Purpose

City of Bryan Fire Department members are required to conduct themselves in a highly self-disciplined manner, obeying the City of Bryan personnel rules and policies, City of Bryan Executive Orders, City of Bryan Fire Department Rules and Regulations, and City of Bryan Fire Department Standard Operating Guidelines. In situations where members do not adhere to these expectations, supervisors will take the necessary action to correct the problem. This procedure is a guide in dealing with disciplinary problems that may be encountered.

### Policy

It is the policy of the City of Bryan Fire Department that discipline be administered in a corrective, progressive, and lawful manner.

Corrective: in the sense that the supervisor and member come to an understanding about the causes and/or reasons for a member's deficiencies, correct those deficiencies, and restore the member to a productive and positive employment status.

Progressive: in that discipline will normally begin with coaching and when circumstances of separate or related incidence warrant, verbal reprimand or warning, proceed to written reprimand(s), suspension without pay, demotion, and finally to dismissal. An incident of misconduct may require any of these forms of disciplinary action whether or not a lesser form has preceded the action. This would depend upon the severity of the offense.

Lawful: in that discipline and the procedure by which it is administered does not violate City personnel rules or administrative regulations, departmental rules of conduct, departmental administrative policies or the member's constitutional rights.

The principal objective of disciplinary action is to improve (or correct) performance, efficiency and morale of the member receiving discipline as well as that of the department. Disciplinary proceedings and the result thereof are confidential. The supervisor is responsible for maintaining this confidentiality. All media inquires pertaining to disciplinary action shall be directed to the Fire Chief. Contents of a reprimand or other disciplinary notice are public record and subject to disclosure through Ohio's Public Record Laws.

### 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

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identified, the supervisor must report this to the Fire Chief's office so a decision can be made whether to solve it through:

- Training
- Non-disciplinary counseling
- Employee Assistance Services
- Disciplinary action

Each situation will be considered separately and the Fire Chief will make a determination as the best course of action it will take to resolve the situation.

If the situation is determined to be a training problem, a program for improvement will be developed for the employee. This may best be accomplished through the use of the department's job performance review system.

When utilizing the job performance review to prepare a program for improvement, the supervisor must clearly identify the employee's problem area(s). This must include measurable objectives for improvement. It must also indicate a reasonable time frame that the objectives are to be met. Performance review should be completed indicating compliance of standards in all areas.

### Determining the proper disciplinary action

After an incident or complaint has been thoroughly investigated and the need for disciplinary action determined, the supervisor will bring the investigation information to the Fire Chief who will determine the type of disciplinary action that will be taken. Factors that will be considered in making this decision are:

- Seriousness of the offense
- Member's past history with the department
- Past practice of the City of Bryan Fire Department in dealing with similar offenses.

Consistency is critical to any disciplinary system. Although disciplinary action for the same offenses should be "similar", the final decision to determine the exact action will be made after considering the factors previously listed, and applying them to the particular situation.

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### Coaching

Although **not** considered a form of disciplinary action, coaching is used most often as a means to inform employees of problem areas and to avoid formal disciplinary action. If this type of disciplinary action is determined by the Fire Chief, it may be handled by the Crew Lieutenant.

### Reprimands

The Fire Chief may elect to use reprimands to document a repeat offense of a minor infraction, or a more serious single infraction for which suspension, demotion or dismissal is not appropriate. The Fire Chief may elect to give a verbal reprimand or a written reprimand. Either type requires written documentation of the reprimand including the problem areas or deficiencies and the actions that are needed to correct those problem areas or deficiencies. The reprimands will be placed in the employee's personnel files.

### Preparation of reprimands

A formal reprimand is addressed from the Fire Chief to the member. These documents should be written as if the member were being told the information in a conversation with the Fire Chief. The following must be included in these documents:

- The date of preparation
- A description of the incident
- The rule and/or policy violation and/or behavior or performance deficiency
- An explanation of what is expected of the employee in the future, written as a clearly stated objective
- The disposition of the document
- A review date for possible removal from his or her personnel file
- Signature of both the Fire Chief and the employee, as an indication that the employee understands (not necessarily that he or she agrees with) the contents of the document and had received a copy

The employee will be given an opportunity to insert any written objections before signing the document. If the employee refuses to sign the document, the Fire Chief will obtain a witness signature on the document indicating that refusal. The document is then forwarded as previously described. An employee's refusal to sign is not grounds for separate disciplinary action.

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### Suspension, demotion, or dismissal

Suspensions, demotions, and dismissals are utilized as punitive, yet corrective measures, taken for numerous repeated incidences of rule infractions, or a single major infraction by an employee. It is the responsibility of the supervisor to stabilize the situation for which immediate action is necessary. This may require relieving the employee from duty until a decision is made concerning the official action to be taken. Supervisors should not permit themselves to pick the form of disciplinary action.

The final decision concerning suspensions, demotions, or dismissals, is the responsibility of the Fire Chief.

In all cases involving a possible suspension, demotion, or dismissal, the individual will be notified by the Fire Chief's office of their right to a pre-disciplinary hearing.