


East Lake Tarpon Special Fire Control District

	<i>SOP 232 Group of Offenses</i>	
	Implementation Date: 11/2000	Revision Date(s): 07/24/2016
		Reviewed Date(s):
	Forms or Attachments: None	

The four (4) groups of offenses and standard actions taken are as follows:

GROUP 1 OFFENSES: All Employees

- First Offense - (1) Guidance
- Second Offense (2) Counseling
- Third Offense - (3) Written Reprimand
- Fourth Offense (4) Suspension and/or Demotion
 Shift - 12 hour suspension
 40 hr/staff - 8 hour suspension
- Fifth Offense - (5) Decision-Making Leave
- Sixth Offense - (6) Resignation/Termination

Probationary employees will receive, within reason; the same actions listed within the groups of offenses, however, the employee may be terminated at any time.

Offenses: The following acts are prohibited:

101 Failure to report to duty.

Failure to report to duty at the time and place designated; to include overtime, mandatory overtime, approved leave, special hours or special shifts after being scheduled for such duty.

102 Department Correspondence.

All official Department correspondences and communications of an official nature whether verbal or in writing, to non-Department Members without the permission of the Fire Chief or his designee is prohibited.

103 Notices-Posting/Circulation/Destruction/Defacing.

Destroying or defacing any official written notice relating to Department business. The posting or circulation of any notices of a non-official derogatory character relating to any person, group or public safety activity is prohibited.

104 Personal Appearance.

Failure to have a neat, clean personal appearance, which adversely reflects upon the individual's competency, efficiency and pride as a employee of the Department to foster and enhance a professional, efficient, effective image/posture. To this end, the wearing of an improper uniform, improper haircut, or to maintain one's uniform and/or equipment in good order is prohibited.

105 Professional Image.

Failure to work diligently or with a bearing consistent with the image of a professional, said to include but not be necessarily limited to:

- a. Unnecessary shouting or using obscene language.
- b. Conducting personal business during duty hours without permission of the Officer in Charge.
- c. Taking excessively long meals or refreshment breaks.
- d. Lack of courtesy to an individual, either on the phone, in writing or in person.
- e. Gambling or other games of chance while on duty.

106 Unauthorized Persons in Fire Department Vehicles.

Allowing unauthorized individual(s) to ride in fire Department vehicles. Unauthorized individual(s) are those who are not Department personnel on official (authorized) business. The Fire Chief shall determine "Authorized" personnel for all Fire Department employees in accordance with SOP 238.

107 Receipt of Calls/Visitors at Fire Station.

Receiving personal visitors at the station during duty hours or utilization of Departmental telecommunications equipment for non-duty related purposes which are excessively frequent or long in nature, without the permission of the officer in charge.

108 Residence - Telephone Address.

Failure to maintain a telephone at one's residence or immediately notify the Fire Chief, in writing, of any change of address or telephone number. Address shall be specific - Post Office Box shall be considered unacceptable.

109 Off-Duty Employment.

The Department shall be notified in writing of any off-duty employment. No person shall accept other employment which would impair his/her independence of judgment in performance of his/her public duties.

110 On-Off Duty Conduct.

Engaging in conduct on or off duty which adversely affects the morale or efficiency of the Department or in the alternative, engaging in conduct on or off duty which has a tendency to hurt or destroy public respect for the employee and/or Department and/or destroy confidence in the operation of the fire service.

111 Misconduct Known to Departmental Personnel.

Failure to report a fellow Department employee or Employee's violation of the law, rule or regulation, policy or procedure, general or specific order. To this end, all such violations shall be reported in writing to the appropriate supervisor.

112 Furnishing Identification.

Department employee/employee shall furnish one's name and identification in a respectful manner when so requested by employees by the public.

113 Knowledge of Department: Rules & Regulations, Policies & Procedures, General Orders & Special Orders.

Failure to establish and maintain a working knowledge of policies and procedures, rules and regulations, general and special orders. Failure to read, understand or comply with all rules and

regulations, general and special, or verbal orders of a superior. To this end, it shall be considered neglect of duty to fail to inquire of a superior any question as to the meaning or application of any rule or regulation, general or special order, policy or procedure, written or verbal order.

114 Vexations/Unnecessary Complaints.

Making a vexatious or unnecessary complaint against an employee of the Department.

115 Use of Private Vehicles/Equipment.

Use of private vehicles/equipment for official purposes unless directed or authorized to do so by the Fire Chief or a superior.

116 Reports.

Failure to promptly and accurately submit such reports as are required by the performance of one's duties or by constituted authority.

117 Termination of Duty/Assignment.

Where the operations are continuous, an employee shall not leave his post at the end of his scheduled shift until he is relieved by his supervisor or his relieving employee on the incoming shift.

118 Participation in Legal Matters.

Giving a deposition, affidavit or appearing as a witness in a legal matter stemming from one's official duties as a Department employee without the knowledge of the Fire Chief; failure to report a request for information or receipt of a subpoena from a law firm or an attorney.

119 Sleeping During Working Hours.

Sleeping during working hours is prohibited unless special permission has been granted by your supervisor.

120 Disorderly Conduct on the Job.

Employee(s) that engage in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job, or similar types of disorderly conduct.

121 Safety Conditions/Practices.

- a. Mistake due to carelessness which causes injury to any person or damage to equipment.
- b. Intentionally violating a safety rule or safety practice.

122 Prompt Performance of Duty.

- a. Failure to promptly and appropriately perform all duties including general assignments, responsibilities and productivity or workmanship not up to required standards of performance.
- b. Failure to return promptly to service after finishing handling an emergency call.

123 Training and Education.

Employees of East Lake Tarpon Special Fire Control District are expected to fully participate in all scheduled or directed training and educational sessions that they attend, unless otherwise authorized.

124 Sick Leave Call In.

An employee(s) requesting sick leave shall follow SOP 116.

GROUP 2 OFFENSES: Permanent Employees.

- First Offense - (1) Written Reprimand
- Second Offense (2) Suspension and/or Demotion
 - Shift - 24 hours suspension
 - 40 hour/Staff - 16 hours suspension
- Third Offense - (3) Decision-Making Leave

Fourth Offense (4) Resignation/Termination

Probationary employees will receive, within reason; the same actions listed within the Groups of offenses, however, the employee may be terminated at any time.

Offenses: The following acts are prohibited.

201 Private Benefit from Departmental Association.

Employee(s) use of the prestige or influence of one's official position or the use of the time, facilities, equipment or supplies of the Department for private gain or advantage to oneself or another.

202 Fees/Rewards.

Accepting or receiving any fee or reward from any source for any service rendered in the line of duty in exchange for anticipated or actual preferential treatment.

203 Solicitation of Favorable Acts.

Employee(s) that solicits or has anyone to intercede with the Fire Chief, Fire Commission and/or any elected/appointed official in disposition of pending charges or findings in a disciplinary proceeding. Nothing in this Section shall be construed to be applicable to licensed attorneys-at-law when representing employee(s) of the Department.

204 Gifts-Solicitation/Acceptance.

Employee(s) that solicits for the receipt any gift/gratuity from anyone for any reasons. No employee or employee of the Department shall receive any gift or gratuity without the permission of the Fire Chief (or the Fire Commission in cases involving the Fire Chief). Additionally, vending, soliciting or collecting contributions for any purposes what-so-ever at any time on Department premises or during duty hours is prohibited unless authorized.

205 Departmental Property-Reporting Loss/Damage.

- a. Failure to immediately report to the supervisor, in writing, all damage to vehicles, property, and equipment or to file such report which contains all known facts surrounding the cause and nature of the damage. Employees shall return all equipment owned by the Department

when they retire, resign or otherwise leave the Department, and they shall return all fire equipment when ordered to do so due to suspension or other absence from work.

- b. Use or possession of another employee's tools or equipment without the employee's consent.
- c. Loss or damage to Department property due to negligence or inattention to duty.

206 Illness/Condition (Physical/Mental) Sick Leave.

- a. Failure to notify the immediate supervisor when there is any change in one's physical/mental condition that could prevent the individual from performing his/her assigned duties.
- b. Failure to report, to the immediate supervisor, an accident or personal injury to the employee while on duty and submit appropriate documentation by supervisor and affected employee within 24 hours unless for whatever reason the employee is unavailable and shall be documented as such.

207 Unauthorized Leave

Being absent from work for a period of 1 hour to less than twenty-four (24) hours for shift personnel without proper authorization within a one (1) fiscal year period. One hour to less than eight (8) hours for non-shift personnel. Willful or wanton failure to return to work from authorized leave.

208 Failure to Meet Annual Appraisal Minimum Standards

Failure to achieve a rating of "meets performance standards" in any single performance dimension on the employee appraisal.

GROUP 3 OFFENSES: All Employees.

- First Offense - (1) Suspension and/or Demotion
 - Shift-24 hour's suspension
 - 40 hour/Staff - 16 hours suspension
- Second Offense - (2) Decision-Making Leave

Third Offense - (3) Resignation/Termination

Probationary employees will receive, within reason, the same actions listed within the Groups of offenses; however, the employee may be terminated at any time.

301 Use of Force/Quarreling.

Provoking or instigating a fight or fighting at any time while on duty, threatening bodily harm, intimidating, coercing or interfering with fellow employees or supervisor at any time, including abusive or obscene language; to include excessive force against a person.

302 Possession/Use of Alcohol and/or Controlled Substance.

Possession and/or use of alcohol or any controlled substances (except as prescribed in accordance with Drug-Free Workplace policy, SOP 126) on duty or reporting to work while under the influence of alcohol or drugs. Being convicted of public intoxication or driving while intoxicated (blood attains/exceeds the level of the presumption of being under the influence as found in the Florida State Statutes).

303 Truthfulness/Cooperation.

Testifying, making reports or conducting business in a less than truthful, accurate and/or cooperative manner.

304 Conviction of a Crime.

Conviction of a misdemeanor of the first degree as defined by the Florida Statutes while either on or off the job.

305 Political Utilization of Official Position.

No employee shall use his/her official authority or influence for the purpose of interfering, attempting to coerce or command, for political purposes. Nothing shall prohibit an employee from expressing his or her opinions on any candidate or issue; or from participating in any political campaign during the employee's off-duty hours.

306 Recovered Property/Evidentiary Material.

Failure to turn over to the appropriate official all lost, stolen, recovered, abandoned or evidentiary material which comes into the possession of a Department employee as a result of the performance

of Departmental duties. To this end, all such material shall be turned over as soon as possible or practical.

307 Possession of Keys.

Possession of keys, pertaining to Department business, not obtained under Departmental authority or without approval of the Fire Chief.

308 Divulgence of Confidential Department Business.

Discussion of the Operations and official business of the Department which is of a confidential nature without the permission of a supervisor (i.e. patient information, formal investigations, etc.) is prohibited.

309 Leaving Place of Duty.

Leaving assigned place of duty while on duty, unless in performance of actual duty, or upon direct order of a superior.

310 Insubordination.

Insubordination, which shall include but not be necessarily limited to, any failure or deliberate refusal to obey a lawful order given by a superior or any disrespectful, mutinous, insolent, or abusive language or action toward a superior, whether in or out of the presence of the superior.

311 Withholding Information on Criminal Activity.

Withholding information on criminal activity, including failure to volunteer such information prior to a specific request or official inquiry is prohibited.

312 Unauthorized Absence.

Being absent from work for a period of twenty-four (24) hours, but less than seventy-two (72) hours for shift personnel without the proper authorization within a one (1) fiscal year period. Eight (8) hours, but less than sixteen (16) hours for non-shift personnel. Willful or wanton failure to return from an authorized leave.

313 Unauthorized Computer Access.

Any employee who willfully, knowingly, and without authorization accesses any computer system or any account or file within the system or causes to be accessed any computer system or who destroys, takes, modified, or discloses data, programs, documentation, equipment or supplies.

314 Seatbelts

All members of the Department along with “ride alongs” will be seated and secured by a safety belt when the vehicle is moving. It will be the immediate responsibility of the Driver Engineer to check with each rider, prior to the apparatus being moved, that they are safely seat belted in their assigned position. The officer in charge of the apparatus is responsible for individuals that do not abide by this rule and regulation.

315 Failure to Meet Annual Appraisal Minimum Standards

Failure to achieve a rating of "meets performance standards" in any single performance dimension on the employee appraisal for two consecutive appraisal periods.

GROUP 4 OFFENSES: All Employees First Offense - (6) Termination/Resignation

401 Departmental Records/Reports/Citations.

Falsification of personal or Department records, including employment applications, accident records, work records, purchase orders, time sheets, run records, daily status reports, station journals, or any other report, record or application. Stealing, altering, forging or tampering within any Department record, report or citation. To this end, the removal of any record, card, report, letter, document, or other document prepared as an incident of Departmental duties from the Department, except by process of law or as directed by the fire Chief or a superior, is prohibited. Additionally, the obtaining/duplicating or attempted obtaining/duplication of any information from Department files, sources or reports other than that to which one is properly entitled to in accordance with one’s duties/assignments is prohibited. A “conscious omission” shall constitute falsification of records.

402 Cooperation with Internal Investigations/Personnel Investigations.

Failure to answer questions truthfully, respond to lawful orders, to render material and relevant statements, in personnel or internal Department investigations when such orders, questions and statements are directly related to job responsibilities. Nothing in this Section shall be in violation of one’s Federal or State constitutional rights, including the Firefighter Bill of Rights.

403 Curtailment or Interference with Work.

- a. Concerted curtailment or restriction of production or interference with work in or about the Department's work stations including, but not limited to, instigating, leading or participating in any walkout, strike, sit-down, stand-in, slowdown, refusal to return to work at the scheduled time for the scheduled shift.
- b. Participation in a strike against the Department as established in Florida Statute 447.201 or any similar statute or amendment thereto.
- c. Wanton or willful neglect in the performance of assigned duties.

404 Unauthorized Absence.

Being absent from work for a period greater than seventy-two (72) hours for shift personnel without the proper authorization within a one (1) fiscal year period. Greater than twenty-four (24) hours for non - shift personnel. Willful or wanton failure to return from authorized leave.

405 Damage/Theft of Department Property.

- a. Deliberately misusing, destroying, or damaging any Department property or property of any employee.
- b. Theft or removal of Department, employee, or any other individual or organizations property without proper authorization.
- c. Willful, unauthorized possession or theft of Fire Department controlled substances or controlled substance keys.

406 False Sick/Injury Claims; Harboring Disease.

- a. Making false claims or misrepresentation in an attempt to obtain sickness or accident benefits, or worker's compensation.
- b. Knowingly harboring a communicable disease, such as TB, which could be a threat to public health.

407 Conduct Affecting Reputation/Goodwill.

Immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to grossly effect the employee's relationship to his job, his fellow workers, his reputation or good will in the community or affect the employee's efficiency or Departmental duties.

408 Unauthorized Use/Alteration of Department Identification.

Permitting person(s), other than fire Department employees, to use your Department identification, badge, uniform, or fire gear for the private gain or advantage to oneself or another. Altering Department identification is also prohibited.

409 Conviction of a felony, as defined by the Florida Statutes, either while on or off duty.

410 Harassment/Discrimination: No form of harassment and/or discrimination will be permitted.

411 Failure to Meet Annual Appraisal Minimum Standards

Failure to achieve a rating of "meets performance standards" in any single performance dimension on the employee appraisal for three consecutive appraisal periods.